

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTY-FIRST LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 3, 2024 to May 10, 2024**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 9, 2024**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2024**

**5. Confidentiality.** With respect to the program or complaints, records, correspondence and reports of investigation in connection with actual or claimed violations of this Title or a rule adopted pursuant to this Title are confidential to the same extent as records, correspondence and reports of investigation of consumer complaints under section 216.

**6. Procedures for data collection.** The bureau may establish procedures for collecting, tracking and quantifying requests for assistance and complaints.

**7. Aggregate information.** The bureau shall compile and publish aggregate information regarding complaints received under subsection 4 on its publicly accessible website.

**8. Staffing resources.** The bureau may consider staffing resources and any limitations on those resources when establishing guidelines regarding the assistance provided through the program and complaint process.

**9. Rules.** The bureau may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**10. No legal representation.** This section does not authorize the bureau to act as a legal representative of a provider or to provide assistance with contract negotiations or interpretations of the terms of contracts between providers and carriers in any manner through the program or complaint process.

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF Insurance - Bureau of 0092**

Initiative: Provides funding for one Senior Insurance Analyst position to manage the independent health care provider assistance liaison program and complaint process.

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$100,788
All Other	\$0	\$15,725
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$116,513

See title page for effective date.

**CHAPTER 591  
H.P. 1164 - L.D. 1832**

**An Act to Continue the Study of Community Paramedicine and to Make Changes Related to Health Insurance Coverage and Prior Authorization Requirements for Certain Ambulance Service Providers**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 24-A MRSA §4303-C, sub-§2, ¶B,** as amended by PL 2021, c. 222, §1, is further amended to read:

B. Except as provided for ambulance services in paragraph ~~D~~ D-1, unless the carrier and out-of-network provider agree otherwise, a carrier shall reimburse the out-of-network provider or enrollee, as applicable, for health care services rendered at the greater of:

- (1) The carrier's median network rate paid for that health care service by a similar provider in the geographic area where the service was provided; and
- (2) The median network rate paid by all carriers for that health care service by a similar provider in the geographic area where the service was provided as determined by the all-payer claims database maintained by the Maine Health Data Organization or, if Maine Health Data Organization claims data is insufficient or otherwise inapplicable, another independent medical claims database specified by the superintendent;

**Sec. 2. 24-A MRSA §4303-C, sub-§2, ¶D-1** is enacted to read:

D-1. Unless the carrier and out-of-network provider agree otherwise, a carrier shall reimburse an out-of-network provider for ambulance services that are covered emergency services at the rate applicable to the out-of-network provider pursuant to section 4303-F.

**Sec. 3. 24-A MRSA §4303-F, sub-§1, ¶E,** as amended by PL 2023, c. 468, §2, is amended to read:

E. A carrier may not require ~~an~~ a ground ambulance service provider to obtain prior authorization before transporting an enrollee to a hospital, between hospitals or from a hospital to a nursing home, hospice care facility or other health care facility, as defined in Title 22, section 328, subsection 8. A carrier may not require an air ambulance service provider to obtain prior

authorization before transporting an enrollee to a hospital or between hospitals for urgent care.

**Sec. 4. 24-A MRSA §4303-F, sub-§3,** as enacted by PL 2021, c. 241, §3, is amended to read:

**3. Exemption.** This Except as provided in subsection 1, paragraph E, this section does not apply to air ambulance services.

**Sec. 5. Authority to report out legislation.** Based on recommendations from stakeholders after further study, the joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters may report out legislation to the 132nd Legislature in 2025 related to reimbursement by health insurance carriers for health care services provided by community paramedicine personnel as described in the Maine Revised Statutes, Title 32, section 84, subsection 4.

See title page for effective date.

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**CHAPTER 592**

**H.P. 1350 - L.D. 2126**

**An Act Relating to Delegation of Nursing Activities and Tasks to Unlicensed Assistive Personnel by Registered Professional Nurses**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 32 MRSA §2102, sub-§2, ¶H,** as enacted by PL 1995, c. 670, Pt. C, §6 and affected by Pt. D, §5, is repealed and the following enacted in its place:

H. Delegation of specific nursing activities and tasks to be provided by unlicensed assistive personnel. This paragraph may not be construed to require a nurse to delegate, or permit a person to coerce a nurse into delegating, specific nursing activities and tasks in any care setting against the nurse's professional judgment or to prohibit a nurse in the exercise of the nurse's professional judgment from refusing to delegate specific nursing activities and tasks in any care setting. The board shall adopt such rules concerning delegation as it considers necessary to ensure access to quality health care for the patient. Rules adopted pursuant to this paragraph are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. 32 MRSA §2102, sub-§11** is enacted to read:

**11. Unlicensed assistive personnel.** "Unlicensed assistive personnel" means individuals trained to function in a supportive role, regardless of job title, to

whom a specific nursing activity or task may be delegated. "Unlicensed assistive personnel" does not include certified nursing assistants or individuals employed in practical nursing or unpaid individuals performing tasks at the direction of a patient.

See title page for effective date.

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**CHAPTER 593**

**H.P. 391 - L.D. 614**

**An Act to Reduce Conflicts Between Landowners and Deer and Add an Additional Youth Deer Hunting Day**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 12 MRSA §10264,** as amended by PL 2023, c. 187, §2, is further amended to read:

**§10264. Maine Deer Management Fund**

The Maine Deer Management Fund, referred to in this section as "the fund," is established within the department as a nonlapsing fund to be used by the commissioner to fund or assist in funding predator control, to assist landowners with the prevention or management of landowner-deer conflict and to acquire or enhance deer habitat. If the funds from the fund are used to directly enhance or manage a deer wintering area on land under the jurisdiction of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands, the land must be designated as a deer wintering area pursuant to section 1805-A. The commissioner shall establish on the department's online licensing system checkoff options that allow a person to donate money for predator control, landowner-deer conflict prevention or management or deer habitat acquisition or enhancement. The checkoff options must be prominently displayed and contain web links to information about how the checkoff revenues have been and will be used. The commissioner shall also print in a prominent place on every paper application for a hunting license checkoff options that allow a person to donate money to the fund for predator control or deer habitat acquisition or enhancement. Revenues from the checkoffs must be deposited in the fund and used for purposes indicated by the checkoffs.

Notwithstanding section 10801, subsection 4, \$2 of each deer registration fee collected under section 12301-A, subsection 3, paragraph C must be deposited in the fund and may be used to assist landowners with the prevention or management of landowner-deer conflicts. Fifty percent of the funds deposited in the fund from the deer registration fees must be used for predator control purposes and 50% of the deposited fees must be used to acquire or enhance deer habitat. In addition, the revenue from each antlerless deer permit