

MAINE STATE LEGISLATURE

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STATE OF MAINE
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BANKING AND INSURANCE

AUGUST 1995

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**ONE HUNDRED AND SEVENTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**SUMMARY OF LEGISLATION BEFORE
THE JOINT STANDING COMMITTEES**

AUGUST 1995

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries. The publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, the committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various categories of final action are abbreviated as follows:

CARRIED OVER	<i>Bill carried over to Second Session</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
CONF CMTE UNABLE TO AGREE	<i>Committee of Conference unable to agree; bill died</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
DIED ON ADJOURNMENT	<i>Action incomplete when session ended; bill died</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
FAILED EMERGENCY ENACTMENT	<i>Emergency bill failed to get 2/3 vote</i>
FAILED ENACTMENT	<i>Bill failed to get majority vote</i>
FAILED MANDATE ENACTMENT	<i>Bill imposing local mandate failed to get 2/3 vote</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
ONTP	<i>Ought Not to Pass report accepted</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

SUMMARY

This bill requires that if a person is insured by a company, obtains insurance from another company and then wishes to return to the original insurance company, the original company must provide coverage. The original insurance company must renew the person's contract or policy as though a break in coverage never occurred.

COMMITTEE AMENDMENT "A" (S-60) is the majority report of the committee. This amendment allows an individual who was once enrolled under a group plan to reenroll in that group policy or contract when the individual's existing insurance coverage is terminated due to termination of employment, termination of existing coverage under the group policy or contract, the death of a spouse or a divorce. This amendment requires insurers to provide continuity of coverage if the individual requests reenrollment in the group plan within 30 days after termination of the existing coverage. The amendment also adds a fiscal note.

LD 379 **An Act Amending the Charter of the Mutual Fire Insurance Company** P & S 2
EMERGENCY

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
BUTLAND
NADEAU

SUMMARY

The Mutual Fire Insurance Company of Saco is a domestic Maine insurance company that was chartered through a Private and Special Law of the Maine Legislature in 1827. This bill which was introduced without reference to committee amends the company's charter to allow for corporate structural changes to be authorized by the board of directors, consistent with current regulatory and industry practice.

LD 391 **An Act to Increase Access to Chiropractor Care under Health Maintenance Organization Managed Care Plans** PUBLIC 350

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
GWADOSKY OTP-AM H-453

SUMMARY

This bill allows enrollees in health maintenance organizations to refer themselves to chiropractic providers for 4 weeks of treatment. It allows more treatment under certain conditions. Chiropractic treatment beyond 8 weeks requires the agreement of the primary care provider.

COMMITTEE AMENDMENT "A" (H-453) is the unanimous report of the committee and replaces the original bill. The amendment does the following:

1. It allows enrollees in health maintenance organizations to refer themselves to chiropractic providers participating in the enrollee's health maintenance organization for 3 weeks of treatment, or 12 visits, and limits self-referral to treatment for acute pain or accidental bodily injury.
2. It requires chiropractic providers to send a report to the primary care provider within 3 working days to obligate the health maintenance organization to provide benefits.
3. If treatment is recommended beyond 3 weeks, it requires the chiropractic provider to send the primary care provider a report of a treatment plan for up to 5 more weeks, or a maximum of 12 more visits.
4. It limits an enrollee to a maximum of 36 visits for chiropractic treatment over 12 months without the authorization of the primary care provider.

5. It provides that chiropractic providers performing duties under this provision are liable for professional diagnoses of mental or physical conditions resulting in actions that endanger the health or safety of an enrollee.
6. It exempts the State Employee Health Program from the requirements of the mandate.
7. It provides an effective date of January 1, 1996 and a repeal date of March 1, 1998.

SENATE AMENDMENT "A" (S-290) to COMMITTEE AMENDMENT "A" reduces the number of visits for which an enrollee may receive benefits from 12 visits to 6 visits. The maximum number of visits without the prior approval of the primary care provider is reduced from 36 visits to 16 visits. Senate Amendment "A" was not adopted.

SENATE AMENDMENT "B" (2-291) to COMMITTEE AMENDMENT "A" limits the self-referral by an enrollee in a health maintenance organization for chiropractic services to treatment of adults with acute lower back problems. Senate Amendment "B" was not adopted.

SENATE AMENDMENT "C" (S-292) to COMMITTEE AMENDMENT "A" removes the provisions exempting contracts between a health maintenance organization and the state employee health insurance program from the requirements of the mandate. The amendment also adds a fiscal note. Senate Amendment "C" was not adopted.

LD 402 An Act to Require Insurance Companies to Make Discounted Premiums Available to Drivers 55 Years of Age or Older Who Complete Motor Vehicle Accident Prevention Courses ONTP

SPONSOR(S) JOY	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

This bill requires insurance companies to offer drivers 55 years of age or older a discounted premium if the insured completes an accident prevention course approved by the Bureau of Motor Vehicles.

LD 419 An Act to Expedite the Hearing Process Relating to the Uniform Classification System Used in Workers' Compensation Insurance PUBLIC 317

SPONSOR(S) AMERO	COMMITTEE REPORT OTP-AM MAJ ONTP MIN	AMENDMENTS ADOPTED S-233
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SUMMARY

This resolve directs the Superintendent of Insurance to review the uniform classification system used in workers' compensation insurance by the independent advisory organization designated by the superintendent. It directs the superintendent to examine the job descriptions included within the category of cement manufacturing and to determine the job descriptions appropriate to that classification. By January 1, 1996, the superintendent shall report to the joint standing committee of the Legislature having jurisdiction over banking and insurance matters on the review and any action taken as a result of the review.