

# 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:

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

**Resolve, Directing the Bureau of Insurance to Develop a Comparable List of Mandatory Insurance Benefits for Health Maintenance Organizations**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>		<b>AMENDMENTS ADOPTED</b>
MCCORMICK	OTP-AM	MAJ	S-90
	ONTP	MIN	

**SUMMARY**

This resolve directs the Bureau of Insurance to develop a list of mandated benefits for health maintenance organizations based on the existing mandated benefits for individual and group health insurance plans.

COMMITTEE AMENDMENT "A" (S-90) removes the emergency preamble and emergency clause. The amendment also directs the Bureau of Insurance to report on the existing mandates and the mandates proposed during the First Regular Session of the 117th Legislature to develop a comparable list of mandates for health maintenance organizations. The report date has also been amended from May 1, 1995 to January 1, 1996. The amendment also adds a fiscal note to the bill.

**LD 919 An Act to Amend the Continuing Care Retirement Community Law**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
ABROMSON	OTP-AM	S-194

**SUMMARY**

This bill amends the existing law governing continuing care retirement communities to permit regulated development of such communities in a manner that properly protects the needs of residents and others, but enables such communities to be successfully developed and financed.

COMMITTEE AMENDMENT "A" (S-194) replaces the original bill and amends the Maine Revised Statutes, Title 24-A, chapter 73, which governs continuing care retirement communities. The amendment makes several changes in current law, including the following.

1. It allows a prospective provider to engage in preliminary marketing of continuing care retirement communities and collect reservation fees on forms approved by the Superintendent of Insurance.
2. It amends the requirements for the issuance of a preliminary certificate of authority.
3. It regulates the collection of deposits from prospective residents, the formation of escrow accounts by the provider and the maintenance of adequate financial reserve accounts by the provider.
4. It exempts continuing care retirement communities from the certificate of need process and any Medicaid reimbursement, provided the community is a nonprofit organization and only admits bona fide residents of the community to its skilled nursing facility.
5. It provides for residents' rights and requires disclosure of these rights in every contract.
6. It provides for the transfer of residents under certain conditions and requires specific contractual disclosure of the transfer procedures.

The amendment also adds a fiscal note to the bill.