

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BANKING AND INSURANCE**

JULY 1999

MEMBERS:

Sen. Lloyd P. LaFountain III, Chair

Sen. Neria R. Douglass.

Sen. I. Joel Abromson

Rep. Jane W. Saxl, Chair

Rep. Christopher P. O'Neil

Rep. Joseph C. Perry

Rep. Benjamin F. Dudley

Rep. John G. Richardson, Jr.

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Rep. Arthur F. Mayo III

Rep. Sumner A. Jones, Jr.

Rep. Kevin J. Glynn

Rep. Robert W. Nutting

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**ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing and Select Committees
August 1999**

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CARRIED OVER*..... *Bill carried over to Second Regular Session*
- CON RES XXX*..... *Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*..... *Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*..... *House & Senate disagree; bill died*
- DIED IN CONCURRENCE*..... *One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*..... *Action incomplete when session ended; bill died*
- EMERGENCY*..... *Enacted law takes effect sooner than 90 days*
- ENACTMENT FAILED*..... *Bill failed to get vote required for enactment or final passage*
- NOT PROPERLY BEFORE THE BODY*..... *Ruled out of order by the presiding officers; bill died*
- INDEF PP*..... *Bill Indefinitely Postponed*
- ONTP*..... *Ought Not To Pass report accepted*
- OTP ND*..... *Committee report Ought To Pass In New Draft*
- OTP ND/NT*..... *Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*..... *Chapter # of enacted Private & Special Law*
- PUBLIC XXX*..... *Chapter # of enacted Public Law*
- RESOLVE XXX*..... *Chapter # of finally passed Resolve*
- UNSIGNED*..... *Bill held by Governor*
- VETO SUSTAINED*..... *Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

from a disease attested to by a physician. The bill also proposed to require similar Medicaid reimbursement to the extent allowed by federal law.

LD 857

An Act to Increase Access to Primary Health Care Services

PUBLIC 396

<u>Sponsor(s)</u> MAYO PENDLETON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-630
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LD 857 proposed to allow certified nurse practitioners and certified nurse midwives participating in managed care plans to serve as primary care providers.

Committee Amendment “A” (H-630) proposed to replace the bill. The amendment proposed to require that certified nurse practitioners be permitted to serve as primary care providers in managed care plans if the certified nurse practitioner is approved by the State Board of Nursing to practice advanced practice registered nursing without the supervision of a physician and meet the managed care plan’s credentialing standards. The amendment proposed to clarify that carriers are not required to credential nurse practitioners or physicians as primary care providers if their existing network of providers meets the access and provider network standards adopted by the Bureau of Insurance. The amendment also proposed to require that carriers provide coverage for the services of certified nurse practitioners and certified nurse midwives provided to individuals referred by a primary care provider. The amendment also proposed to clarify that carriers must provide coverage for the services of certified nurse practitioners and certified nurse midwives in indemnity or other health insurance plans that do not require the selection of a primary care provider when those services are covered services and when they are within the lawful scope of practice of the certified nurse practitioner or certified nurse midwife. The amendment would have required that carriers assign identification numbers or codes to certified nurse practitioners and certified nurse midwives who provide services covered by the carrier’s health plans. The amendment proposed to add an application date of March 1, 2000 and also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 396 requires that certified nurse practitioners be permitted to serve as primary care providers in managed care plans if the certified nurse practitioner is approved by the State Board of Nursing to practice advanced practice registered nursing without the supervision of a physician, meets the managed care plan’s credentialing standards, and is referred by a primary care provider. It requires that carriers, including indemnity or other health insurance plans that do not require the selection of a primary care providers, provide coverage for the services of certified nurse practitioners and certified midwives when those services are covered and when they are within the lawful scope of practice of the certified nurse practitioners and certified nurse midwives. The public law also requires that carriers assign identification numbers or codes to certified nurse practitioners and certified nurse midwives who provide services covered by the carrier’s health plan and that the identification number be indicated on claims.

Public Law 1999, chapter 396 applies to all policies, contracts and certificates issued or renewed on or after March 1, 2000.

LD 866

An Act to Include a Podiatrist in the Definition of Physician

ONTP

<u>Sponsor(s)</u> PENDLETON FULLER	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 866 proposed to add podiatrists to those health care professionals whose services are covered by health care services contracts provided by nonprofit hospital or medical service organizations and whose services are covered by health or accident insurance policies.

LD 911 **An Act to Change the Reimbursement Policy on Mental Health Services** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARADIS MADORE	ONTP MAJ OTP-AM MIN	

LD 911 proposed to require that nonprofit hospital and medical service organizations, insurers and health maintenance organizations provide reimbursement for the services of licensed counseling professionals. Under current law, nonprofit hospital and medical service organizations, insurers and health maintenance organizations are only required to make available coverage for those services at the option of the policyholder. The bill would have applied to all policies and contracts issued or renewed on or after January 1, 2000.

Committee Amendment "A" (S-198) was the minority report of the committee. It proposed to clarify that nonprofit hospital and medical service organizations, insurers and health maintenance organizations are required to provide reimbursement for the services of licensed clinical professional counselors, licensed marriage and family therapists and licensed pastoral counselors and not other categories of licensed counseling professionals.

The amendment proposed to add an appropriation section and a fiscal note to the bill. Committee Amendment "A" was not adopted.

LD 913 **An Act to Ensure that Persons Issuing Bad Checks are Solely Responsible for Overdraft Charges** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOUFFARD MILLS	ONTP MAJ OTP MIN	

LD 913 proposed to limit the amount financial institutions may assess depositors for returned check fees if the check is returned for insufficient funds.

LD 945 **An Act to Require Individuals be Notified of Cancellation of Insurance Benefits** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MURRAY	ONTP	

LD 945 proposed to require the Bureau of Insurance to adopt rules clarifying that individuals insured under an individual or group health insurance policy receive prior notice before cancellation of benefits for nonpayment of premiums regardless of whether another person has been designated by the insured to receive such notice.