

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Banking and Insurance*

August 2001

Members:

Sen. Lloyd P. LaFountain III, Chair

Sen. I. Joel Abromson

Sen. Neria R. Douglass

Rep. Christopher P. O'Neil, Chair

Rep. Benjamin F. Dudley

Rep. Nancy B. Sullivan

Rep. Marilyn E. Canavan

Rep. Lisa T. Marrache

Rep. William J. Smith

Rep. Arthur F. Mayo III

Rep. Kevin J. Glynn

Rep. Florence T. Young

Rep. John M. Michael

Staff:

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Maine State Legislature
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120th Legislature
First Regular Session

Summary Of Legislation Before The Joint Standing Committees
August 2001

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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*
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... *Emergency bill failed to get 2/3 vote*
FAILED ENACTMENT/FINAL PASSAGE..... *Bill failed to get majority vote*
FAILED MANDATE ENACTMENT..... *Bill imposing local mandate failed to get 2/3 vote*
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 21, 2001**.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Banking and Insurance

LD 801

An Act to Authorize the State and Participating Municipalities to Pool Health Care in a Joint Venture

ONTP

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

LD 801 proposed to authorize the State to form a joint venture with participating counties and municipalities for a self-funded group health plan for state, county and municipal employees.

LD 802

An Act to Improve End-of-life Care in the State

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MADORE KILKELLY	OTP-AM	H-586

LD 802 contains a number of provisions regarding hospice, end-of-life and palliative care. The bill proposed to do the following:

1. It requires health insurance and health maintenance contracts to cover palliative, hospice and end-of-life care.
2. It provides reimbursement under the Medicaid program for hospice care at \$130 per day.
3. It authorizes the Department of Human Services to establish the Maine Center for End-of-life Care.
4. It requires a report from the Department of Professional and Financial Regulation, Office of Licensing and Registration by January 15, 2002 regarding professional education requirements regarding end-of-life care, palliative care, hospice, pain management, advanced health care directives, appointment of health care decision surrogates and do-not-resuscitate orders.
5. It requires the Maine Health Data Organization to gather baseline data and standardized assessment tools regarding end-of-life care, palliative care, pain and symptom management and quality indicators for the care of terminally ill persons.
6. It requires the Joint Standing Committee on Health and Human Services to undertake a study of palliative care, hospice care and the barriers to inpatient hospice care.
7. It appropriates \$50,000 for the Maine Hospice Council.

Committee Amendment "A" (H-586) replaced the bill and proposed to do the following:

1. It removes the provisions relating to a mandated health insurance benefit for hospice care.

Joint Standing Committee on Banking and Insurance

2. It removes the provisions relating to reimbursement under the Medicaid program for hospice care because that issue is addressed in other legislation.
3. It requires the Department of Human Services, Bureau of Health to solicit grants and funding from other outside funding sources to establish and operate the Maine Center for End-of-life Care and requires that the center be hosted by an educational institution, professional association or other entity interested in the care of the terminally ill.
4. It requires the Department of Professional and Financial Regulation, Office of Licensing and Registration to compile a report on the current entry-level and continuing educational requirements related to end-of-life care issues for licensed health care professions.
5. It requires the Maine Health Data Organization to gather baseline data and standardized assessment tools regarding end-of-life care within the organization's existing database.
6. It removes the provision requiring the Joint Standing Committee on Health and Human Services to undertake a study of end-of-life care and the barriers to inpatient hospice care.
7. It retains the appropriation of \$50,000 to the Maine Hospice Council.
8. It also adds an allocation section and a fiscal note to the bill.

The substantive provisions of LD 802 and Committee Amendment "A" were incorporated into the Part I budget, LD 300, Public Law 2001, chapter 358, Part LL. Public Law 2001, chapter 358 was enacted as an emergency measure effective June 4, 2001. The provisions requiring individual and group health insurance and health maintenance organization contracts to cover hospice care services apply to contracts issued or renewed on or after January 1, 2002.

LD 812

An Act to Provide Insurance Parity for Substance Abuse Treatment

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT MITCHELL B	ONTP	

LD 812 proposed to require that all individual and group health insurance policies or contracts provide coverage for substance abuse treatment under the same terms and conditions as coverage for physical conditions and illnesses. The bill would have applied to all policies and contracts issued or renewed on or after January 1, 2002.

See related bills LD 1572 and LD 1627.