

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON INSURANCE AND  
FINANCIAL SERVICES**

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 124<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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:

<i>CARRIED OVER</i> .....	<i>Carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN HOUSES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i> .....	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124<sup>th</sup> Legislature is Monday, July 12, 2010. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

***Joint Standing Committee on Insurance and Financial Services***

**LD 20      An Act To Require Insurance Companies To Cover the Cost of  
Prosthetics Containing Microprocessors**

**PUBLIC 603**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT M BRYANT B	OTP-AM MAJ ONTP MIN	H-748

LD 20 was carried over from the First Regular session of the 124th Legislature pursuant to joint order, H.P. 1053. The bill requires health insurance policies, contracts and certificates to provide coverage for prosthetics. The provisions of this bill apply to all policies, contracts and certificates issued or renewed on or after January 1, 2010.

**Committee Amendment "A" (H-748)**

This amendment is the majority report of the committee and replaces the bill. Under current law, health insurance carriers are required to provide coverage for prosthetic devices, but coverage is not required for those devices containing a microprocessor. The amendment removes the exclusion for prosthetic devices that include a microprocessor. The amendment applies to insurance policies, contracts and certificates issued or renewed on or after January 1, 2011.

**Enacted Law Summary**

Under current law, health insurance carriers are required to provide coverage for prosthetic devices, but coverage is not required for those devices containing a microprocessor. Public Law 2009, chapter 603 removes the exclusion for prosthetic devices that include a microprocessor. The law applies to insurance policies, contracts and certificates issued or renewed on or after January 1, 2011.

**LD 257      An Act To Establish the Health Technology Clinical Committee**

**ONTP**

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

LD 257 was carried over from the First Regular Session of the 124th Legislature pursuant to joint order, H.P. 1053. The bill requires the Maine Quality Forum to establish a health technology assessment program to make determinations as to which health technologies and health care services will be included as covered benefits in publicly funded health care plans. The bill establishes the Health Technology Clinical Committee, a five-member committee of health care providers, to conduct the assessments and make the coverage determinations based on reviews of scientific evidence.

**LD 425      An Act To Require Private Insurance Coverage for Certain Services for  
Children with Disabilities**

**PUBLIC 634**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CONNOR BRANNIGAN	OTP-AM MAJ ONTP MIN	H-663

## *Joint Standing Committee on Insurance and Financial Services*

LD 425 was carried over from the First Regular Session of the 124th Legislature pursuant to joint order, H.P. 1053. The bill requires individual and group health insurance policies and health maintenance organization contracts to provide coverage for children's early intervention services after a referral from a primary care provider for children from birth to three years of age if the child has an identified developmental disability or delay as described in the federal Individuals with Disabilities Education Act, Part C. The bill limits coverage to \$3,200 per year per child up to a maximum of \$9,600 by the child's third birthday. The bill applies to all policies, contracts and certificates issued or renewed on or after January 1, 2010.

### **Committee Amendment "A" (H-663)**

This amendment changes the application clause of the bill so it will apply to all individual and group health insurance policies, contracts and certificates issued or renewed on or after January 1, 2011. This amendment also reallocates the statutory provisions contained in the bill.

### **Enacted Law Summary**

Public Law 2009, chapter 634 requires individual and group health insurance policies and health maintenance organization contracts to provide coverage for children's early intervention services after a referral from a primary care provider for children from birth to three years of age if the child has an identified developmental disability or delay as described in the federal Individuals with Disabilities Education Act, Part C. The law limits coverage to \$3,200 per year per child up to a maximum of \$9,600 by the child's third birthday. The law applies to all policies, contracts and certificates issued or renewed on or after January 1, 2011.

### **LD 1059      Resolve, To Enhance Health Care for Direct Care Workers**

**ONTP**

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

LD 1059 was carried over from the First Regular Session of the 124th Legislature pursuant to joint order, H.P. 1053. The resolve requires the Department of Professional and Financial Regulation, Bureau of Insurance to establish a demonstration project named the Direct Care Workforce Health Coverage Working Group to help long-term care service providers unable to afford high-quality health insurance for their direct care workers to receive higher levels of reimbursement for MaineCare services they provide.

### **LD 1198      An Act To Reform Insurance Coverage To Include Diagnosis and Treatment for Autism Spectrum Disorders**

**PUBLIC 635**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWMAN	OTP-AM	S-430

LD 1198 was carried over from the First Regular Session of the 124th Legislature pursuant to joint order, H.P. 1053. The bill requires group health insurance policies, contracts and certificates covering fewer than 50 members to provide coverage for the diagnosis and treatment of autism spectrum disorders for persons 21 years of age and under. Initially, coverage is subject to a maximum annual benefit of \$36,000 per year; beginning January 1, 2011, the maximum benefit must be adjusted annually for inflation using the medical care component of the United States Department of Labor Consumer Price Index. The provisions of this bill apply to group policies, contracts and