

# 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  
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## 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 1708 An Act To Expand the Opportunity for Persons To Acquire Health Care Coverage under the State's "Mini-COBRA" Program**

**PUBLIC 574**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAZUREK DAMON	OTP-AM	H-747

This bill modifies Maine's so-called mini-COBRA law to make persons permanently laid off from their employment eligible to maintain, at their expense, coverage under their former employer's group health plan. Currently, the law limits eligibility to persons who are temporarily laid off or who have a condition that makes them eligible for workers' compensation.

**Committee Amendment "A" (H-747)**

Current law limits eligibility for Maine's so-called mini-COBRA law to persons who are temporarily laid off or who have a condition that makes them eligible for workers' compensation. The bill modifies Maine's so-called mini-COBRA law to make persons permanently laid off from their employment eligible to maintain, at their expense, coverage under their former employer's group health plan. The amendment conditions the eligibility for those permanently laid off on the availability of a subsidy pursuant to federal law.

**Enacted Law Summary**

Current law limits eligibility for Maine's so-called mini-COBRA law to persons who are temporarily laid off or who have a condition that makes them eligible for workers' compensation. Public Law 2009, chapter 574 modifies Maine's so-called mini-COBRA law to make persons permanently laid off from their employment eligible to maintain, at their expense, coverage under their former employer's group health plan as long as a subsidy is made available pursuant to federal law for those permanently laid off employees.

**LD 1709 An Act To Enhance Public Awareness of Lyme Disease**

**PUBLIC 494  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEGG BOWMAN	OTP-AM	H-632

Part A of LD 1709 requires health insurance companies to provide coverage for long-term antibiotic therapy for patients with Lyme disease in all individual and group health insurance policies. The health insurance provisions apply to all policies issued or renewed on or after January 1, 2011.

Part B of LD 1709 provides protection from a licensing disciplinary action for physicians that prescribe, administer or dispense long-term antibiotic therapy to patients with Lyme disease.

**Committee Amendment "A" (H-632)**

This amendment replaces the bill. The amendment does the following.

1. It establishes the month of May as Lyme Disease Awareness Month. It also directs the Department of Health and Human Services, Maine Center for Disease Control and Prevention to make appropriate information available to the public to improve education and awareness about the prevention, diagnosis and treatment of Lyme disease.

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

2. It clarifies the annual reporting requirements on Lyme disease and other tick-borne illnesses to include information on diagnosis as well as treatment. It also requires the Maine Center for Disease Control and Prevention to maintain a publicly accessible website to provide public awareness and education on Lyme disease and other tick-borne illnesses, including links to resources made available and recommended by the United States Department of Health and Human Services.
3. It requires health insurers to report claims data related to Lyme disease diagnosis as well as treatment.
4. It adds an emergency preamble and emergency clause.

### **Enacted Law Summary**

Public Law 2009, chapter 494 establishes the month of May as Lyme Disease Awareness Month and directs the Department of Health and Human Services, Maine Center for Disease Control and Prevention to make appropriate information available to the public to improve education and awareness about the prevention, diagnosis and treatment of Lyme disease.

The law clarifies the annual reporting requirements on Lyme disease and other tick-borne illnesses to include information on diagnosis as well as treatment. The law requires the Maine Center for Disease Control and Prevention to maintain a publicly accessible website to provide public awareness and education on Lyme disease and other tick-borne illnesses, including links to resources made available and recommended by the United States Department of Health and Human Services.

The law also requires health insurers to report claims data related to Lyme disease diagnosis. Under current law, health insurers are required to report claims data related to treatment for Lyme disease.

Public Law 2009, chapter 494 was enacted as an emergency measure effective February 24, 2010.

**LD 1768    Resolve, Regarding Legislative Review of Chapter 285: Adjustment of Non-bank Mortgage Lender Fees To Fund Investigative and Legal Compliance Personnel, a Major Substantive Rule of the Department of Professional and Financial Regulation**

**RESOLVE 177  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-710

LD 1768 provides for legislative review of Chapter 285: Adjustment of Non-bank Mortgage Lender Fees To Fund Investigative and Legal Compliance Personnel, a major substantive rule of the Department of Professional and Financial Regulation.

### **Committee Amendment "A" (H-710)**

This amendment incorporates a fiscal note.

### **Enacted Law Summary**

Resolve 2009, chapter 177 authorizes final adoption of Chapter 285: Adjustment of Non-bank Mortgage Lender Fees To Fund Investigative and Legal Compliance Personnel, a major substantive rule of the Department of Professional and Financial Regulation.