

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



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

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

April 2010

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STATE OF MAINE

124TH 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 124th 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 & 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&S XXX</i>	<i>Chapter # of enacted Private & 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 124th 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

provide coverage of dependent children to allow the opportunity to enroll a dependent child in dental insurance coverage during the first 30 days of the child's life and during any open or annual enrollment period. The provisions of this amendment apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed on or after January 1, 2011.

Enacted Law Summary

Public Law 2009, chapter 578 requires dental insurance policies, contracts and certificates that provide coverage of dependent children to allow the opportunity to enroll a dependent child in dental insurance coverage during the first 30 days of the child's life and during any open or annual enrollment period. The provisions of the law apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed on or after January 1, 2011.

LD 1779 An Act To Prohibit Surcharges on the Use of Debit Cards

PUBLIC 618

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

Maine law currently prohibits sellers from imposing a surcharge on the use of credit cards. LD 1779 extends this prohibition to the use of debit cards.

Senate Amendment "A" (S-448)

This amendment repeals the prohibition on surcharges on the use of debit cards on February 15, 2011. It requires the Superintendent of Financial Institutions and the Superintendent of Consumer Credit Protection within the Department of Professional and Financial Regulation to examine the federal and state laws, regulations and rules governing fees and charges relating to debit and credit cards and submit a report containing their findings, including any recommendations regarding courses of action to achieve optimum transparency and consumer protection, to the joint standing committee of the Legislature having jurisdiction over financial services matters no later than February 15, 2011. The joint standing committee of the Legislature having jurisdiction over financial services matters is authorized to report out a bill on the subject matter of this report to the First Regular Session of the 125th Legislature. Senate Amendment "A" was not adopted.

Enacted Law Summary

Maine law currently prohibits sellers from imposing a surcharge on the use of credit cards. Public Law 2009, chapter 618 extends this prohibition to the use of debit cards.

LD 1819 An Act To Implement the Recommendations of the Advisory Council on Health Systems Development Relating to Payment Reform

PUBLIC 609

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ OTP-AM MIN	S-485

LD 1819 is submitted by the Joint Standing Committee on Insurance and Financial Services and implements the recommendations made by the Advisory Council on Health Systems Development related to payment reform. The bill requires the Advisory Council on Health Systems Development to review and evaluate payment reform models

Joint Standing Committee on Insurance and Financial Services

and requires the council to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters no later than January 15, 2011. The bill also clarifies the intent of the Hospital and Health Care Provider Cooperation Act to apply to mergers of covered entities, which are defined as hospitals or health care providers.

Committee Amendment "A" (S-485)

This amendment is the majority report of the committee. The amendment removes from the bill language limiting the scope of the Advisory Council on Health Systems Development's consultation with the Attorney General and the Department of Professional and Financial Regulation, Bureau of Insurance for technical expertise. The amendment removes from the bill language authorizing a legislative committee to introduce a bill to the 125th Legislature. The amendment requires the Advisory Council on Health Systems Development to submit a preliminary report outlining suggested legislation no later than December 1, 2010. The amendment also removes from the bill the provisions that make changes to the Hospital and Health Care Provider Cooperation Act.

Committee Amendment "B" (S-486)

This amendment is the minority report of the committee. The amendment adds two provisions to the bill to amend the process under the Hospital and Health Care Provider Cooperation Act. The amendment extends the time period for the Department of Health and Human Services to make a final decision on an application for a certificate of public advantage from 90 days to 120 days and adds a requirement that the department must hold a hearing on an application at the request of the Attorney General.

The amendment removes from the bill language limiting the scope of the Advisory Council on Health Systems Development's consultation with the Attorney General and the Department of Professional and Financial Regulation, Bureau of Insurance for technical expertise. The amendment removes from the bill language authorizing a legislative committee to introduce a bill to the 125th Legislature. The amendment requires the Advisory Council on Health Systems Development to submit a preliminary report outlining suggested legislation no later than December 1, 2010.

Committee Amendment "B" was not adopted.

Enacted Law Summary

Public Law 2009, chapter 609 requires the Advisory Council on Health Systems Development to review and evaluate payment reform models and requires the council to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters no later than January 15, 2011. The law requires the Advisory Council on Health Systems Development to submit a preliminary report outlining suggested legislation no later than December 1, 2010.