

# MAINE STATE LEGISLATURE

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



Summaries of bills, adopted amendments and laws enacted or finally passed

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

June 2012

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**STAFF:**

COLLEEN MCCARTHY REID, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

# STATE OF MAINE

125<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 LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 125<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

<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; legislation died</i>
<i>DIED BETWEEN HOUSES</i> .....	<i>House &amp; Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i> .....	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i> .....	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i> .....	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i> .....	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i> .....	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i> .....	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i> .....	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ...	<i>ought-not-to-pass report accepted; legislation 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>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 125<sup>th</sup> Legislature is Thursday, August 30, 2012. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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

This bill extends the provisions of the law governing the Maine Guaranteed Access Reinsurance Association to insurers that offer small group health plans to groups of 10 or fewer members.

**Committee Amendment "A" (S-522)**

This amendment replaces the bill and changes the title. The amendment provides that, beginning October 1, 2012, the rating factor used by small group health insurance carriers for group size must be combined within the maximum rate differential due to age of 2.5 to 1. The combined rating band for age and group size would be increased to 3 to 1 on January 1, 2014 and, to the extent permitted by the federal Affordable Care Act, further increased each year by a factor of 1 up to a combined 5 to 1 rating band on January 1, 2016. Under current law, the rating factor for group size falls outside of the rating bands.

**Enacted Law Summary**

Public Law 2011, chapter 638 provides that, beginning October 1, 2012, the rating factor used by small group health insurance carriers for group size must be combined within the maximum rate differential due to age of 2.5 to 1. The combined rating band for age and group size would be increased to 3 to 1 on January 1, 2014 and, to the extent permitted by the federal Affordable Care Act, further increased each year by a factor of 1 up to a combined 5 to 1 rating band on January 1, 2016. Under current law, the rating factor for group size falls outside of the rating bands.

**LD 1682**

**An Act To Allow Employees of the Small Enterprise Growth Board To Participate in the State's Group Health Plan**

**PUBLIC 514  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RECTOR	OTP-AM	S-393

This bill allows the employees of the Small Enterprise Growth Board to participate in the State's group health plan.

**Committee Amendment "A" (S-393)**

This amendment provides that employees of the Small Enterprise Growth Board are eligible to participate in the State's group health plan effective July 1, 2012.

**Enacted Law Summary**

Public Law 2011, chapter 514 allows employees of the Small Enterprise Growth Board to participate in the State's group health plan beginning July 1, 2012.

Public Law 2011, chapter 514 was enacted as an emergency measure effective March 16, 2012.

**LD 1691**

**An Act Related to Specialty Tiers in Prescription Medication Pricing**

**PUBLIC 611**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS	OTP-AM MAJ ONTP MIN	H-813

This bill provides that a health plan covering prescription drugs may not require cost sharing, deductibles or coinsurance obligations for prescription drugs that exceed the dollar amount for nonpreferred brand drugs or for