

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2013

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th 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.

CARRIED OVER carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE.....Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES.....House & Senate disagreed; legislation died
DIED IN CONCURRENCE.....defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX.....chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 126th Legislature is October 9, 2013. 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

LD 448 An Act To Authorize the State Employee Health Commission's Preferred Provider Program

ONTP

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

This bill authorizes the State Employee Health Commission to develop and implement a preferred provider program, health insurance program or any other program the purpose of which is to rank into tiers health care providers, including hospitals and health care organizations, to determine preferred hospital or health care provider status for the state employee health insurance program and to steer the state employee health insurance program members to be treated by or to consult with certain health care providers, including hospitals and health care organizations, based on cost and quality of health care. The commission is directed to adopt major substantive rules to develop and implement the preferred provider program.

LD 452 An Act Concerning Hurricane Deductibles

PUBLIC 38

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORRISON WHITTEMORE	OTP-AM	H-17

This bill requires the Superintendent of Insurance to adopt routine technical rules concerning the use of hurricane deductibles used in policies subject to the property insurance cancellation control laws.

Committee Amendment "A" (H-17)

This amendment clarifies language in the bill.

Enacted Law Summary

Public Law 2013, chapter 38 requires the Superintendent of Insurance to adopt routine technical rules concerning the use of hurricane deductibles used in policies subject to the property insurance cancellation control laws.

LD 454 An Act Relating to Health Care Provider Liability Claims Reports

PUBLIC 59

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK CLEVELAND	OTP-AM	H-25

The purpose of this bill is to correct an inconsistency within the Maine Health Security Act. Currently the Superintendent of Insurance is required to forward to the Board of Licensure in Medicine and the Board of Osteopathic Licensure information received from professional liability insurers concerning claims against those they insure who are licensed by those boards. Professional liability insurers are also required to provide the superintendent information concerning claims against health care providers, but the superintendent is not authorized to provide information on those claims to the state agencies that license those health care providers. This bill gives authority to the superintendent to submit these reports to the appropriate licensing authority.

Committee Amendment "A" (H-25)

This amendment adds a provision to the bill clarifying the authority of the Superintendent of Insurance to submit

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reports of cancellation and nonrenewals from professional liability insurers to the appropriate state licensing authority for health care providers. The amendment makes this provision consistent with the bill, which clarifies the authority of the superintendent to submit professional liability insurance claims reports to those same state licensing authorities.

Enacted Law Summary

Public Law 2013, chapter 59 gives authority to the superintendent to submit liability claims reports and reports of cancellation and nonrenewals from professional liability insurers to the appropriate state licensing authority for health care providers. Currently the Superintendent of Insurance is required to forward to the Board of Licensure in Medicine and the Board of Osteopathic Licensure liability claims reports and reports of cancellation and nonrenewals from professional liability insurers against those they insure who are licensed by those boards, but the superintendent is not authorized to provide that information to the state agencies that license other health care providers.

**LD 506 Resolve, Directing the Bureau of Insurance To Amend Its Rules
 Pertaining to Medicare Advantage Plans**

**RESOLVE 19
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY	OTP	

This resolve directs the Department of Professional and Financial Regulation, Bureau of Insurance to amend its rules to clarify that a Medicare beneficiary who is enrolled in a Medicare Advantage plan may enroll in another Medicare Advantage plan with the same insurer or a different insurer for a period of 3 years without affecting the Medicare beneficiary's continuity of coverage.

Enacted Law Summary

Resolve 2013, chapter 19 directs the Department of Professional and Financial Regulation, Bureau of Insurance to amend its rules to clarify that a Medicare beneficiary who is enrolled in a Medicare Advantage plan may enroll in another Medicare Advantage plan with the same insurer or a different insurer for a period of 3 years without affecting the Medicare beneficiary's continuity of coverage.

Resolve 2013, chapter 19 was finally passed as an emergency measure effective May 14, 2013.

**LD 523 An Act To Require Health Insurance Coverage for Hearing Aids for
 Adults**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VALENTINO BECK		

This bill requires health insurance coverage of hearing aids for persons over 18 years of age.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).