

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. GEOFFREY M. GRATWICK, CHAIR
SEN. RICHARD G. WOODBURY
SEN. RODNEY L. WHITTEMORE

REP. SHARON ANGLIN TREAT, CHAIR
REP. PAULETTE G. BEAUDOIN
REP. HENRY E. M. BECK
REP. TERRY K. MORRISON
REP. JANICE E. COOPER
REP. JANE P. PRINGLE
REP. JOYCE A. FITZPATRICK
REP. MICHAEL D. MCCLELLAN
REP. RAYMOND A. WALLACE
REP. PETER DOAK

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

126TH LEGISLATURE
FIRST REGULAR SESSION



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

loans to local businesses, family farmers and homeowners. The task force is directed to submit a report that includes its findings and recommendations with any necessary implementing legislation to the Joint Standing Committee on Labor, Commerce, Research and Economic Development and to the Joint Standing Committee on Insurance and Financial Institutions.

In place of the resolve, a minority of the committee introduced H.P. 1130, Joint Order Establishing the Task Force to Study the Creation of a State of Maine Partnership Bank or Other Maine Financial Structures. H.P. 1130 was passed in the House, but was indefinitely postponed in the Senate.

LD 1092 An Act To Increase the Use of Long-term Care Insurance

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN GRAHAM		

This bill establishes an alternative long-term care benefit program for those persons that qualify for long-term benefits under the MaineCare program. The bill allows persons otherwise eligible for long-term care benefits under MaineCare that own life insurance policies with face amounts exceeding \$10,000 to enter into life settlement contracts in exchange for direct payments to a health care provider for long-term care benefits. The bill prohibits the Department of Health and Human Services from considering the value of the life settlement contract as an asset or resource in determining eligibility for MaineCare. The bill also establishes the conditions under which a life settlement contract may be used, requires certain disclosures to be made to MaineCare applicants and authorizes the Department of Health and Human Services to adopt rules after consultation with the Department of Professional and Financial Regulation, Bureau of Insurance.

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).

LD 1094 An Act To Clarify Certification of Navigators and the Availability of Regional Health Plans

PUBLIC 388

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODBURY	OTP-AM	S-185 S-314 WHITEMORE

Part A of the bill establishes the Maine Health Exchange Advisory Board to advise the Federal Government, Governor and Legislature on the implementation and operation of a health exchange in this State pursuant to the federal Patient Protection and Affordable Care Act. The advisory board is composed of 17 members, including 5 members who are Legislators.

Part B of the bill suspends the authority of the Maine Guaranteed Access Reinsurance Association from January 1, 2014 until December 31, 2016 or until such time as the transitional reinsurance program administered by the federal Department of Health and Human Services pursuant to the federal Patient Protection and Affordable Care Act is no longer operational. This Part also directs the Board of Directors of the Maine Guaranteed Access Reinsurance Association to amend the association's plan of operation and submit an amendment to the plan of operation on or before October 1, 2013 to the Superintendent of Insurance for approval. The amended plan of operation must include, but is not limited to, an explanation of how operations will be suspended, the actions necessary to pay reinsurance on qualified claims attributable to the time period prior to January 1, 2014 and the actions necessary to suspend assessments.

Joint Standing Committee on Insurance and Financial Services

Part C of the bill expands medical coverage under the MaineCare program to adults with family incomes up to 133% of the nonfarm income official poverty line and qualifies Maine to receive federal funding for 100% of the cost of coverage for members who enroll under the expansion. Adults eligible are those 21 years of age to 64 years of age beginning January 1, 2014 and those 19 years of age and 20 years of age beginning October 1, 2019.

Committee Amendment "A" (S-185)

This amendment replaces the bill. Part A makes changes to the current provisions in law relating to navigators to make them consistent with recent federal regulations and clarifies that navigators are subject to the provisions prohibiting unfair trade practices.

Part B allows an insurance company authorized to do business in Vermont to offer individual health insurance for sale in this State. Current law limits that business to insurance companies authorized to do business in Connecticut, Massachusetts, New Hampshire and Rhode Island.

Part C establishes the Maine Health Exchange Advisory Council to advise the Governor, the Legislature, the Department of Health and Human Services, the Department of Professional and Financial Regulation, Bureau of Insurance and the Federal Government on the implementation and operation of a health exchange in this State pursuant to the federal Patient Protection and Affordable Care Act. The advisory council is comprised of 20 members, including 5 members who are Legislators and 2 ex officio members representing the Department of Health and Human Services and the Department of Professional and Financial Regulation, Bureau of Insurance.

Senate Amendment "A" To Committee Amendment "A" (S-314)

This amendment amends Committee Amendment "A" to strike Part C of the amendment, which establishes the Maine Health Exchange Advisory Council. This amendment also changes the title of the legislation.

In place of Part C of Committee Amendment "A", the committee introduced H.P. 1136, Joint Order Establishing the Maine Health Exchange Advisory Committee. H.P. 1136 was passed in the House and Senate.

Enacted Law Summary

Public Law 2013, chapter 388 makes changes to the current provisions in law relating to navigators to make them consistent with recent federal regulations and clarifies that navigators are subject to the provisions prohibiting unfair trade practices.

Public Law 2013, chapter 388 also allows an insurance company authorized to do business in Vermont to offer individual health insurance for sale in this State. Current law limits that business to insurance companies authorized to do business in Connecticut, Massachusetts, New Hampshire and Rhode Island.

LD 1162 An Act To Ensure the Rights of Patients

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T TREAT	ONTP	

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to enact measures designed to ensure the rights of patients, which may include proposals to protect a patient's rights in the health insurance market; enhance accountability for hospitals and health care providers to improve quality and efficiency of care; increase the transparency of charges and expenses of hospitals and health care providers; and facilitate the purchase of health care coverage by individuals and small businesses by establishing a state health insurance exchange pursuant to the federal Patient Protection and Affordable Care Act, Public Law 111-148.