

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
126<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**

May 2014

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**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION  
**LEGISLATIVE DIGEST OF BILL SUMMARIES AND**  
**ENACTED LAWS**

The *Digest* is arranged 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.

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 Second Regular Session of the 126<sup>th</sup> Legislature is August 1, 2014. 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*

Part D of the bill establishes the salaries of the members of the Maine Health Care Council and the executive director of the Maine Health Care Agency.

Part E of the bill prohibits the sale on the commercial market of health insurance policies and contracts that duplicate the coverage provided by the Maine Health Care Plan. It allows the sale of health care policies and contracts that do not duplicate, and are supplemental to the coverage of the Maine Health Care Plan.

Part F of the bill directs the Maine Health Care Agency to submit two financing plans to the Legislature by January 15, 2016. Part F also directs the Maine Health Care Agency to ensure employment retraining for administrative workers employed by insurers and providers who are displaced by the transition to the Maine Health Care Plan. It directs the Maine Health Care Agency to study the delivery and financing of long-term care services to plan members. Consultation is required with the Maine Health Care Plan Transition Advisory Committee, representatives of consumers and potential consumers of long-term care services, and representatives of providers of long-term care services, employers, employees and the public. A report by the agency to the Legislature is due January 1, 2018.

Part G clarifies that throughout the Maine Revised Statutes, the words "payer" and "payor" have the same meaning.

### **Committee Amendment "A" (H-771)**

The amendment, which is the majority report, replaces the bill and changes it into a resolve.

The amendment expresses the Legislature's intent that all Maine residents have access to and coverage for affordable, quality health care. The amendment requires the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters to solicit the services of one or more consultants to propose design options for creating a universal system of health care in the State. The resolve requires the consultant or consultants to submit a proposal by December 2, 2015, containing at least three design options that comply with the federal Patient Protection and Affordable Care Act.

The amendment includes a provision requiring the State Controller to transfer \$100,000 from the State Innovation Model grant received by the Department of Health and Human Services pursuant to the federal Patient Protection and Affordable Care Act before June 30, 2015, to fund the study required by the resolve. If funds exceeding \$100,000 are received from other public and private sources before December 1, 2015, the amendment requires that the money be transferred back to the Department of Health and Human Services.

**LD 1367**

### **Resolve, To Improve Early Diagnosis, Treatment and Outcomes for Youth and Young Adults with, or at Risk for, Serious Mental Health Conditions**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRAHAM	OTP-AM	H-717
ALFOND	ONTP	S-553 HILL

This bill was carried over from the First Regular Session of the 126th Legislature.

The bill requires the Department of Health and Human Services to require providers of behavioral and mental health services for children to establish or participate in so-called bridge teams for the purpose of ensuring continuity of care for students receiving behavioral and mental health services who graduate from high school and are likely to be in need of such services following graduation. The bill also requires MaineCare and private health insurance carriers to provide coverage for such services.

### **Committee Amendment "A" (H-717)**

This amendment is the majority report of the committee and replaces the bill and changes the title.

*Joint Standing Committee on Insurance and Financial Services*

The amendment requires the MaineCare program and health insurance carriers to provide coverage for care coordination and assertive community treatment services for eligible persons who are 26 years of age or under who meet the criteria for a psychiatric diagnosis and experience significant impairment in function as determined by a licensed mental health provider. The amendment adds a definition of "assertive community treatment services." The requirements imposed on health insurance carriers apply to individual, group health and group health maintenance organization insurance policies, contracts, and certificates issued or renewed on or after January 1, 2015. The amendment specifies the scope and length of coverage for eligible persons based on age rather than referring to persons who have graduated from high school as in the bill. The amendment also more specifically describes the types of services required to be covered.

The amendment also requires the Department of Health and Human Services to require providers of mental and behavioral health services for children to establish or participate in so-called bridge teams for the purpose of ensuring continuity of care for students receiving mental and behavioral health services who graduate from high school and are likely to be in need of such services following graduation.

**Senate Amendment "A" To Committee Amendment "A" (S-553)**

This amendment replaces Committee Amendment "A" and makes the bill a resolve. The amendment requires the Department of Health and Human Services to apply for federal grants that might be available from the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration under the "Now is the Time" Healthy Transitions: Improving Life Trajectories for Youth and Young Adults with, or at Risk for, Serious Mental Health Conditions grant program to provide services and supports to address serious mental health conditions, co-occurring disorders and the risks for developing serious mental health conditions among youth 16 to 26 years of age. The amendment requires the department to apply for grant money no later than June 1, 2014.

**LD 1512 An Act To Increase Funding for Start-ups**

**PUBLIC 452  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-382

This bill was carried over from the First Regular Session of the 126th Legislature.

The purpose of this bill is to promote and encourage the growth of Maine small businesses by facilitating the ability of a business to raise capital by selling small amounts of equity to a wider pool of small investors with fewer restrictions.

The bill exempts from existing restrictions regarding registration and advertising an issuer transaction or sale if the issuer transaction or sale meets certain conditions, including:

1. The issuer of the security must be a business entity formed and registered under Maine law;
2. The purchasers of the securities must be Maine residents;
3. The size of the offering may not exceed \$1,000,000 if the issuer has not undergone, and provided documentation from, a financial audit in the previous year;
4. The size of the offering may not exceed \$2,000,000 if the issuer has undergone, and provided documentation from, a financial audit in the previous year;
5. The issuer may not accept more than \$2,000 from any single purchaser unless the purchaser is an accredited