

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2015

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STATE OF MAINE

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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 127th 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. An appendix provides a summary of relevant session statistics.

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 & 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&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>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is October 15, 2015. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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to remove a lien. The amendment also provides that the liability of a holder of a lien to a debtor is for reasonable attorney's fees and costs incurred to cure a lien as a result of the failure to remove a lien and removes language in Committee Amendment "A" authorizing liability for actual damages.

Enacted Law Summary

Public Law 2015, chapter 210 requires a lienholder to remove a lien issued pursuant to the laws of this State no later than 60 days after a lien has been satisfied unless a specific time period is otherwise provided. The law also provides that a lienholder, other than the State, a municipality and other government entity, that fails to remove a lien is liable to a debtor or owner of the property for reasonable attorney's fees and costs incurred to cure a lien as a result of the failure to remove a lien.

Public Law 2015, chapter 210 does not apply to financing statements filed pursuant to the Uniform Commercial Code.

LD 347 An Act Concerning Billing between Emergency Medical Services Providers and Insurance Companies

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUTREMBLE LAJOIE	ONTP OTP-AM	

This bill requires health insurance carriers to reimburse for the costs of emergency medical services, including calls for emergency medical assistance when a person is not transported to a hospital. The requirements of the bill apply to all health insurance policies issued or renewed on or after January 1, 2016.

Committee Amendment "A" (S-70)

This amendment is the minority report of the committee and replaces the bill with a resolve that requires the Department of Professional and Financial Regulation, Bureau of Insurance to conduct a review and evaluation of the mandated health benefit proposed by the bill in accordance with the requirements of the Maine Revised Statutes, Title 24-A, section 2752. The amendment requires that the review and evaluation must be submitted to the Joint Standing Committee on Insurance and Financial Services on or before January 1, 2016 and authorizes the committee to report out a bill based on the review and evaluation to the Second Regular Session of the 127th Legislature.

LD 359 An Act To Assist Persons with Breast Cancer

PUBLIC 227

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGSTAFF BREEN	OTP ONTP	S-144 WHITTEMORE

This bill provides that individual and group health insurance policies must ensure that inpatient coverage with respect to breast cancer treatment is provided for a hospital stay of no less than 48 hours insofar as the attending physician, in consultation with the patient, determines it to be medically appropriate following a mastectomy or lumpectomy or of no less than 24 hours following a lymph node dissection. Under current law, the minimum hospital stay is not prescribed but must be provided for a period of time determined to be medically appropriate by the attending physician in consultation with the patient.

Senate Amendment "B" (S-144)

This amendment strikes the bill. The amendment requires carriers to provide written notice regarding the requirements for inpatient coverage following treatment of breast cancer to physicians participating in the carrier's

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provider network and requires attending physicians to provide a similar notice to patients when consulting with patients about breast cancer treatment. The amendment strikes the provisions in the bill requiring that inpatient coverage be provided for a hospital stay of no less than 48 hours following a mastectomy or lumpectomy or no less than 24 hours following a lymph node dissection.

Enacted Law Summary

Public Law 2015, chapter 227 requires carriers to provide written notice regarding the requirements for inpatient coverage following treatment of breast cancer to physicians participating in the carrier's provider network and requires attending physicians to provide a similar notice to patients when consulting with patients about breast cancer treatment.

The requirements of Public Law 2015, chapter 227 apply to all individual and group health insurance policies and contracts issued or renewed on or after January 1, 2016.

LD 382 An Act To Eliminate Certain Fees for Security Freezes and Allow Security Freezes for Minors

PUBLIC 139

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE BECK	OTP-AM	S-38 S-83 WHITTEMORE

This bill reduces by \$4 the maximum fees that may be charged by a consumer reporting agency for placing, suspending or removing a security freeze on a consumer report.

Committee Amendment "A" (S-38)

This amendment replaces the bill and changes the title. Beginning October 1, 2015, the amendment eliminates the fees that may be charged by a consumer reporting agency when a consumer requests a security freeze and permits the parent or guardian of a minor under 16 years of age to place a security freeze on the consumer report of that minor.

Senate Amendment "A" To Committee Amendment "A" (S-83)

This amendment amends Committee Amendment "A." It replaces the language on security freezes involving minors under 16 years of age in Committee Amendment "A" with language that is consistent with the laws of other states that permit security freezes for minors under 16 years of age. The amendment permits a consumer reporting agency to charge a fee of up to \$10 for each placement of or removal of a security freeze for a minor under 16 years of age. Committee Amendment "A" eliminates fees related to security freezes for a consumer who is not a minor under 16 years of age.

Enacted Law Summary

Beginning October 1, 2015, Public Law 2015, chapter 139 eliminates the fees that may be charged by a consumer reporting agency when a consumer who is not a minor under 16 years of age requests a security freeze. The law also permits the parent or guardian of a minor under 16 years of age to place a security freeze on the consumer report of that minor and allows a consumer reporting agency to charge a fee of up to \$10 for each placement of or removal of a security freeze for that minor.