

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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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.

Joint Standing Committee on Insurance and Financial Services

This amendment is the minority report of the committee. The amendment does the following.

1. It provides that only a health care practitioner that sees patients in a setting outside of a licensed health care facility is subject to the requirement that the health care practitioner display a copy of the practitioner's license so the license is visible to patients. The majority report removes the requirement for all health care practitioners.
2. It amends the requirement that a health care practitioner wear a name badge to clarify that either the practitioner's first name or first and last name may be disclosed, except for a physician, whose name badge must include the physician's first and last name.
3. It removes the requirement that a health care practitioner's name badge include the practitioner's medical staff position.

Enacted Law Summary

Public Law 2015, chapter 35 amends the law requiring health care practitioners to provide identification to the public by removing the requirement that a health care practitioner display a copy of the practitioner's license in an office area visible to current and prospective patients. The law also amends the requirement that a health care practitioner wear an identification badge to eliminate the requirement that the badge include the practitioner's medical staff position and to clarify that either the practitioner's first name or first and last name may be disclosed, except for a physician, whose identification badge must include the physician's first and last name.

LD 569 An Act To Reduce Municipal Liability outside Federally Declared Flood Zones ONTP

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

This bill prohibits an insurance company from excluding coverage under a homeowner's property insurance policy for flood damages caused by the failure of municipal or government infrastructure whether or not the home is located in a flood zone designated by the Federal Government.

LD 572 An Act To Ensure Appropriate Health Insurance Coverage for Prescription Eye Drops PUBLIC 91

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORRISON GRATWICK	OTP-AM	H-81

This bill requires all health insurance carriers offering health plans to provide coverage for early refills of prescription eye drop medication in certain circumstances. The bill applies to all policies and contracts issued or renewed on or after January 1, 2016.

Committee Amendment "A" (H-81)

This amendment replaces the bill. Like the bill, the amendment requires all health insurance carriers offering health plans to provide coverage for early refills of prescription eye drop medication under certain circumstances. Unlike the bill, under the amendment the enrollee must request the refill no earlier than the date on which 70 percent of the days of use authorized by the prescribing health care provider have elapsed. Like the bill, the amendment applies to all policies and contracts issued or renewed on or after January 1, 2016.

Enacted Law Summary

Joint Standing Committee on Insurance and Financial Services

Public Law 2015, chapter 91 requires all health insurance carriers offering health plans to provide coverage for early refills of prescription eye drop medication under certain circumstances. An enrollee must request the refill from a carrier no earlier than the date on which 70 percent of the days of use authorized by the prescribing health care provider have elapsed.

Public Law 2015, chapter 91 applies to all policies and contracts issued or renewed on or after January 1, 2016.

LD 621 An Act To Improve Access to Insurance Coverage for Persons for Whom ONTP
English Is a Second Language

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASKELL STUCKEY	ONTP	

This bill permits insurance companies and producers to provide insurance policies and any explanatory or advertising material in a language other than English. This bill provides that, in the event of a dispute or complaint regarding the policy or explanatory or advertising material, the English language version of the policy or explanatory or advertising material controls the resolution of the dispute or complaint.

LD 630 An Act To Clarify the Requirements for Notice of the Right To Cure a PUBLIC 36
Mortgage Default

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE STETKIS	OTP-AM	S-18

This bill requires that the notice of a consumer's right to cure a mortgage default include a statement that the amount due stated in the notice does not include any amounts that become due after the date of the notice. It also provides an alternative to the date by which a mortgagee must provide information to the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection of three days after the expiration of the right-to-cure period.

Committee Amendment "A" (S-18)

This amendment removes the section of the bill that proposes to provide an alternative to the date by which a mortgagee must provide information to the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection of three days after the expiration of the right-to-cure period.

Enacted Law Summary

Public Law 2015, chapter 36 requires that the notice of a consumer's right to cure a mortgage default include a statement that the amount due stated in the notice does not include any amounts that become due after the date of the notice.

LD 636 An Act To Provide Consumers of Health Care with Information PUBLIC 260
Regarding Health Care Costs

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL SANBORN	OTP-AM	S-74