

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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STAFF:

COLLEEN MCCARTHY REID, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

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127TH LEGISLATURE

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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

LD 705 An Act Relating to Insurance Licensing

PUBLIC 49

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

This bill proposes several changes to Maine law relating to the licensing of insurance producers, consultants and adjusters. The bill requires that biennial resident insurance consultant fees be due at the same time as the biennial continuing education requirement is due. It adds a provision for insurance adjusters that allows those individuals who live in a state that does not license adjusters to obtain reciprocal licensing based on their qualifications in another state. This bill requires producers to keep both their contact information up to date, including their e-mail address, in the records of the Department of Professional and Financial Regulation, Bureau of Insurance.

Enacted Law Summary

Public Law 2015, chapter 49 makes several changes to Maine law relating to the licensing of insurance producers, consultants and adjusters.

1. The law requires that biennial resident insurance consultant fees be due at the same time as the biennial continuing education requirement is due.
2. The law adds a provision for insurance adjusters that allows those individuals who live in a state that does not license adjusters to obtain reciprocal licensing based on their qualifications in another state.
3. The law requires producers to keep both their contact information up to date, including their e-mail address, in the records of the Department of Professional and Financial Regulation, Bureau of Insurance.

LD 738 An Act To Increase Minimum Motor Vehicle Insurance Coverage

ONTP

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

This bill increases the required minimum motor vehicle insurance coverage to \$100,000 for damage to property and for injury to or death of any one person and to \$300,000 for an accident resulting in injury to or death of more than one person.

LD 810 An Act To Allow the Synchronization of Prescriptions

PUBLIC 93

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING CHACE	OTP-AM	S-57

This bill requires health insurance carriers that provide prescription drug coverage as part of a health plan to allow prescriptions to be dispensed by a pharmacist for less than a 30-day supply if it is in the best interest of the patient.

Committee Amendment "A" (S-57)

This amendment retains the provision of the bill that requires health insurance carriers that provide prescription

Joint Standing Committee on Insurance and Financial Services

drug coverage as part of a health plan to allow prescriptions to be dispensed by a pharmacist for less than a 30-day supply if it is in the best interest of the patient, but excludes prescriptions for solid oral doses of antibiotics and solid oral doses dispensed in their original container.

The amendment makes the change apply to all policies and contracts issued or renewed on or after January 1, 2016.

Enacted Law Summary

Public Law 2015, chapter 93 requires that, if a health plan provides coverage for prescription drugs, a carrier must allow prescriptions to be dispensed by a pharmacist for less than a 30-day supply if it is in the best interest of the patient. The law excludes prescriptions for solid oral doses of antibiotics and solid oral doses dispensed in their original container from the requirement.

The law makes the change apply to all policies and contracts issued or renewed on or after January 1, 2016.

LD 813 An Act To Ensure That Hospitals Comply with the Laws Governing ONTP Transparency of Medical Billing

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

This bill establishes penalties for hospitals, ambulatory surgical centers and other health care entities that fail to comply with the laws related to disclosure of charges for health care services.

LD 815 An Act To Establish a Unified-payor, Universal Health Care System Accepted Majority (ONTP) Report

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

Part A of the bill establishes the Maine Health Benefit Marketplace as the State's health benefit exchange as authorized by the federal Patient Protection and Affordable Care Act to facilitate the purchase of health care coverage by individuals and small businesses. The Maine Health Benefit Marketplace is established within the Department of Professional and Financial Regulation. The bill requires coverage to be available through the state-based marketplace no later than January 1, 2017 and requires the Executive Director of the Maine Health Benefit Marketplace to submit a declaration of intent to establish a state-based exchange under federal law to the federal Department of Health and Human Services no later than November 18, 2015. The bill also requires the executive director to submit applications for any available federal grant funding to support planning and implementation of the exchange as soon as practicable.

Part B of the bill establishes the Maine Health Care Plan to provide security through high-quality, affordable health care for the people of the State. The plan will become effective and binding on the State upon the approval of a waiver from the United States Department of Health and Human Services. All residents and nonresidents who maintain significant contact with the State are eligible for covered health care services through the Maine Health Care Plan. The Maine Health Care Plan must conform to the minimum essential benefits required under federal law, but may require additional benefits within existing resources. Health care services under the Maine Health Care Plan are provided by participating providers in organized delivery systems and through the open plan, which is available to all providers. It establishes the Maine Health Care