

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
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

MEMBERS:

SEN. RODNEY L. WHITTEMORE, CHAIR
SEN. LINDA L. BAKER
SEN. GEOFFREY M. GRATWICK

REP. HENRY E. M. BECK, CHAIR
REP. TERRY K. MORRISON
REP. JANICE E. COOPER
REP. HEIDI E. BROOKS
REP. GINA M. MELARAGNO
REP. RALPH L. TUCKER
REP. RAYMOND A. WALLACE
REP. JOHN JOSEPH PICCHIOTTI
REP. ROBERT A. FOLEY
REP. DWAYNE W. PRESCOTT

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

127TH 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 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 954 An Act To Amend the Maine Property Insurance Cancellation Control
Laws**

PUBLIC 69

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WALLACE BAKER	OTP ONTP	

This bill amends the Maine Insurance Code to provide that an insurer may cancel a property insurance policy for violation of terms or conditions of the policy.

Enacted Law Summary

Public Law 2015, chapter 69 amends the Maine Insurance Code to provide that an insurer may cancel a property insurance policy for violation of terms or conditions of the policy.

**LD 958 An Act To Amend the Laws Relating to Group Trusts Established by
Self-insurers of Workers' Compensation Benefits**

PUBLIC 59

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

This bill modifies the acceptable investments and diversification requirements for workers' compensation self-insurance trusts, providing for the portfolio to contain up to 40 percent in bonds issued or generated by United States government agencies, while decreasing the permissible percentage of corporate or municipal bonds.

Enacted Law Summary

Public Law 2015, chapter 59 modifies the acceptable investments and diversification requirements for workers' compensation self-insurance trusts, providing for the portfolio to contain up to 40 percent in bonds issued or generated by United States government agencies, while decreasing the permissible percentage of corporate or municipal bonds.

LD 975 An Act Regarding Travel Insurance in the Maine Insurance Code

PUBLIC 133

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK BAKER	OTP-AM ONTP	H-119

This bill establishes a limited lines travel insurance license under the Maine Insurance Code. The bill regulates the practice of providing travel insurance to consumers in the State and sets out the requirements for allowing a travel retailer to offer and disseminate travel insurance.

Committee Amendment "A" (H-119)

This amendment replaces the bill. The amendment establishes a supervising travel insurance producer license under the Maine Insurance Code. Like the bill, the amendment regulates the practice of providing travel insurance to consumers in the State and sets out the requirements for allowing a travel retailer to offer and disseminate travel insurance.

Enacted Law Summary

Joint Standing Committee on Insurance and Financial Services

Public Law 2015, chapter 133 establishes a supervising travel insurance producer license under the Maine Insurance Code. The law regulates the practice of providing travel insurance to consumers in the State and sets out the requirements for allowing a travel retailer to offer and disseminate travel insurance.

LD 978 An Act To Promote Patient Choice and Access to Health Care

PUBLIC 111

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOORE	OTP-AM	H-118

This bill prohibits a health insurance carrier from refusing to reimburse a provider for providing a health care service or procedure covered under a health plan as long as the provider is acting within the lawful scope of that provider's license, registration or certification in the delivery of the covered service or procedure. The bill also prohibits a carrier from creating or using a provider-specific billing code or policy not listed in a nationally recognized coding system or from discriminating in its benefit design to circumvent the requirement.

Committee Amendment "A" (H-118)

This amendment replaces the bill. The amendment prohibits health insurance carriers offering individual and group health plans from refusing to reimburse for services provided by a chiropractor acting within the scope of the chiropractor's license if the services are covered by the carrier and the chiropractor participates in the carrier's provider network. The amendment applies to all policies and contracts issued or renewed on or after January 1, 2016.

Enacted Law Summary

Public Law 2015, chapter 111 prohibits health insurance carriers offering individual and group health plans from refusing to reimburse for services provided by a chiropractor acting within the scope of the chiropractor's license if the services are covered by the carrier and the chiropractor participates in the carrier's provider network.

The law applies to all policies and contracts issued or renewed on or after January 1, 2016.

LD 1092 An Act To Prevent Abusive Debt Collection Practices

PUBLIC 272

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER LIBBY	OTP-AM	H-378

This bill amends the Maine Fair Debt Collection Practices Act to provide protection to debtors with regard to collection actions by debt buyers. The bill provides that a debt may not be collected if a debt buyer violates the Act. A debt buyer may not collect on a debt without providing specified information that includes the name of the original creditor and all intervening creditors, as well as the sources of added fees and interest. The information must be included in the complaint to initiate the cause of action to collect the debt.

The bill establishes a three year statute of limitations that replaces all other limitations unless the existing limitations is a shorter period.

Committee Amendment "A" (H-378)

This amendment replaces the bill. This amendment requires any payment agreement entered into with a debt collector to be documented in open court, approved by the court and included in a court order or otherwise reduced to writing. The amendment prohibits a debt collector from suing on a debt if the statute of limitations period has