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

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.

CARRIED OVER	carried over to a subsequent session of the Legislature
	chapter # of constitutional resolution passed by both houses
	Committee of Conference unable to agree; legislation died
	House & Senate disagreed; legislation died
	eated in each house, but on different motions; legislation died
	action incomplete when session ended; legislation died
EMERGENCYenacted l	aw takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PA	ASSAGE 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
	gned; 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
	PORT Xought-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 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

Insurance Portability and Accountability Act of 1996.

Committee Amendment "A" (S-88)

This amendment is the minority report of the committee and replaces the bill with a resolve. This amendment directs the Department of Professional and Financial Regulation, Bureau of Insurance to monitor the development of cybersecurity standards for insurance companies by the National Association of Insurance Commissioners and consult with the Joint Standing Committee on Insurance and Financial Services about the legislative and regulatory activities in other states related to cybersecurity for insurance companies to protect against security breaches involving personal information and health care information collected by or in the possession of insurance companies. The amendment also authorizes the committee to report out a bill to the Second Regular Session of the 127th Legislature.

LD 1264 An Act To Transfer Oversight of the Maine Quality Forum to the Maine Health Data Organization ONTP

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

This bill transfers responsibility for the Maine Quality Forum from Dirigo Health to the Maine Health Data Organization effective July 1, 2015. The bill also transfers two positions authorized for staffing the Maine Quality Forum to the Maine Health Data Organization.

This bill is proposed by the Joint Standing Committee on Insurance and Financial Services pursuant to Joint Order 2015, H.P. 585. The Joint Standing Committee on Insurance and Financial Services has not taken a position on the substance of the bill, and by reporting out this bill the committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of this bill. The Joint Standing Committee on Insurance and Financial Services is reporting the bill out for the sole purpose of turning the proposal into a printed bill that can be referred to the Joint Standing Committee on Insurance and Financial Services for an appropriate public hearing and subsequent processing in the normal course. The Joint Standing Committee on Insurance and Financial Services is taking this action to ensure clarity and transparency in the legislative review of this proposal.

LD 1265 An Act To Implement the Recommendations of the Maine Health Exchange Advisory Committee

ONTP

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

This bill proposes to implement the recommendations of the Maine Health Exchange Advisory Committee pursuant to Joint Order 2013, House Paper 1136. The bill establishes the Maine Health Exchange Advisory Committee on a permanent basis.

The Joint Standing Committee on Insurance and Financial Services has not taken a position on the substance of the recommendations or the bill, and by reporting out this bill the committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of the advisory committee's recommendations or this bill. The Joint Standing Committee on Insurance and Financial Services is reporting out the bill for the sole purpose of turning the advisory committee's proposal into a printed bill that can be referred to the Joint Standing Committee on Insurance and Financial Services for an appropriate public hearing and subsequent processing in the normal course. The Joint Standing Committee on Insurance and Financial Services is taking this action to ensure clarity and transparency in the legislative review of the advisory committee's proposal.

Joint Standing Committee on Insurance and Financial Services

While LD 1265 was voted "Ought Not to Pass," the Maine Health Exchange Advisory Committee was re-established for the duration of the 127th Legislature by joint order, S.P. 533.

LD 1304 An Act To Permit Funds for Prearranged Funerals To Be Invested under a Wider Range of Options

Accepted Majority (ONTP) Report

Sponsor(s)	Committee Report	Amendments Adopted
WHITTEMORE	ONTP OTP-AM	

Current law permits funds held in prearranged funeral and burial plans to be invested in certain listed permissible investment categories. This bill expands those options by permitting these funds to be invested in the same categories of investments that are authorized under the Maine Revised Statutes, Title 39-A, section 403, subsection 9 as permissible investments for trust funds for self-insurers under the laws governing workers' compensation.

Committee Amendment "A" (S-108)

This amendment is the minority report of the committee. This amendment replaces the bill and changes it into a resolve. The amendment establishes a task force to study expanding the permissible investments for prearranged funeral funds. The task force comprises 11 members, including six Legislators, representatives of independently owned and corporate-owned funeral homes, financial institutions and credit unions and a financial advisor. The amendment requires the task force to report back to the Legislature before the Second Regular Session of the 127th Legislature. The Joint Standing Committee on Insurance and Financial Services may report out a bill based on the task force's recommendations.

LD 1305 An Act To Encourage Health Insurance Consumers To Comparison Shop for Health Care Procedures and Treatment

CARRIED OVER

Sponsor(s)	Committee Report	Amendments Adopted
WHITTEMORE BECK		

This bill requires a health care entity to provide an estimate of the allowed amount if the entity is within a patient's carrier network or the amount that will be charged if the entity does not participate in a patient's carrier network for a proposed admission, procedure or service within two business days of a patient's request and to assist a patient in using a carrier's toll-free telephone number and publicly accessible website to obtain information about the out-of-pocket costs for which a patient will be responsible.

The bill requires health insurance carriers to establish a toll-free telephone number and publicly accessible website to provide information to enrollees about health care costs. A carrier is required to provide information on the average price paid in the past 12 months to a network health care provider for a proposed admission, procedure or service in each geographic rating area established by the carrier and to provide a binding estimate for the maximum allowed amount or charge for a proposed admission, procedure or service and the estimated amount the enrollee will be responsible to pay for a proposed admission, procedure or service that is a medically necessary covered benefit.

The bill also requires a carrier to pay an enrollee 50 percent of the saved cost to a maximum of \$7,500 if an enrollee elects to receive health care services from a provider that cost less than the average cost for a particular admission, procedure or service unless the savings is \$50 or less. If an enrollee elects to receive health care services from an out-of-network provider that cost less than the average amount for a particular admission, procedure or service, a carrier shall apply the enrollee's share of the cost toward the enrollee's member cost sharing as if the health care services were provided by a network provider.