

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
128TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2017

STAFF:

COLLEEN MCCARTHY REID, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/legis/opla/>

MEMBERS:

SEN. RODNEY L. WHITTEMORE, CHAIR
SEN. DANA L. DOW
SEN. EVERETT BROWNIE CARSON

REP. MARK W. LAWRENCE, CHAIR
REP. HEIDI E. BROOKS
REP. GINA M. MELARAGNO
REP. BENJAMIN T. COLLINGS
REP. HEATHER B. SANBORN
REP. RAYMOND A. WALLACE
REP. JOHN JOSEPH PICCHIOTTI
REP. ROBERT A. FOLEY
REP. DWAYNE W. PRESCOTT
REP. GARREL ROBERT CRAIG

STATE OF MAINE

128TH 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 128th 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
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE..... 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
HELD BY GOVERNOR..... Governor has not signed; 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
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-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 128th Legislature is Wednesday, November 1, 2017. 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 bill is a concept draft pursuant to Joint Rule 208.

The bill proposes to improve the laws regarding insurance and financial services.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 718 An Act To Reinstitute the Maine Health Exchange Advisory Committee **Accepted Majority
(ONTP) Report**

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

This bill establishes the Maine Health Exchange Advisory Committee on a permanent basis.

Committee Amendment "A" (H-127)

This amendment is the minority report of the committee. The amendment changes the title of the bill and the name of the advisory committee established in the bill. The amendment broadens the scope of duties of the advisory committee to reflect that there may be changes in federal health care law. The amendment also clarifies that the Legislative Council may not provide staff support to the advisory committee during the legislative session and authorizes the advisory committee to contract for administrative, professional and clerical services if funding permits.

The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

LD 722 An Act Regarding Uninsured Vehicle Coverage **ONTP**

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

This bill explicitly provides that the laws governing uninsured vehicle coverage apply to umbrella policies and excess policies. It also requires that documents tendered to settle a claim for bodily injury that may be the subject of coverage under the laws governing uninsured vehicle coverage contain a warning to ensure that persons settling bodily injury claims understand that by signing a release they may be giving up their right to uninsured vehicle insurance benefits from other sources, including their own insurance companies.

LD 769 An Act To Eliminate Insurance Rating Based on Age, Geographic Location or Smoking History and To Reduce Rate Variability Due to Group Size **Died Between
Houses**

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

Joint Standing Committee on Insurance and Financial Services

This bill prohibits insurance carriers providing individual health plans or small group health plans from varying premium rates based on age, geographic location or tobacco use on or after January 1, 2018. The bill also reduces the variation based on group size to 1.5 to one for small group plans over time.

Committee Amendment "A" (H-143)

This amendment is the minority report of the committee. The amendment reduces the maximum rate differential in premium rates for individual and small group health insurance policies on or after January 1, 2019 on the basis of geographic area from 1.5 to 1.2 and tobacco use as determined by ratio from 1.5 to one to 1.2 to one and maintains the rate differential due to age and group size at three to one. The bill prohibits insurance carriers providing individual health plans or small group health plans from varying premium rates based on age, geographic location or tobacco use on or after January 1, 2018.

This amendment was not adopted.

LD 770 An Act To Clarify Insurance Coverage in School-based Health Centers

**Accepted Majority
(ONTP) Report**

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

This bill prohibits health insurance carriers from denying coverage for services delivered in a school setting under a contract with a federally qualified health center if the same services would be covered if provided at the federally qualified health center.

Committee Amendment "A" (H-96)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

LD 817 An Act To Promote Early Detection of Breast Cancer

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BREEN C PIERCE T	ONTP OTP-AM	

This bill requires health insurance carriers to provide coverage for a magnetic resonance imaging scan after a baseline mammogram examination if the mammogram demonstrates dense breast tissue.

Committee Amendment "A" (S-117)

This amendment is the minority report of the committee. The amendment requires health insurance carriers to provide coverage for an ultrasound evaluation, a magnetic resonance imaging scan, three-dimensional mammography or additional testing of an entire breast or breasts after a baseline mammogram examination if the mammogram results demonstrate dense breast tissue or are abnormal within any degree of breast density or if the person has certain risk factors for breast cancer. The bill limits coverage to a magnetic resonance imaging scan. The requirements apply to all individual and group policies and contracts issued or renewed on or after January 1, 2019. The amendment also adds language exempting the bill from the provisions of the Maine Revised Statutes,