

MAINE STATE LEGISLATURE

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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

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STATE OF MAINE

128TH 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 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 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,

Joint Standing Committee on Insurance and Financial Services

Title 24-A, section 2752.

This amendment was not adopted.

LD 870 An Act To Protect Life Insurance Beneficiaries

ONTP

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

This bill requires that, prior to the payment of any benefits, an insurer notify a beneficiary entitled to benefits following the death of an insured under a life insurance policy that the beneficiary has the right to elect payment of the death benefits in a lump sum and, if the beneficiary may elect that the insurer hold the benefits in trust, what the terms and conditions are for holding the benefits in trust.

LD 880 An Act To Protect a Homeowner's Equity of Redemption in a Foreclosure Action

PUBLIC 133

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN B	OTP-AM	S-96

This bill provides that a writ of possession may not issue in a foreclosure action that involves a residential mortgage until the mortgagor's period of redemption expires. The period of redemption expires 90 days from the date of judgment for mortgages executed on or after October 1, 1975 and one year from the date of judgment for mortgages executed prior to October 1, 1975.

Committee Amendment "A" (S-96)

This amendment incorporates the provision in the bill that provides that a writ of possession may not issue in a foreclosure action that involves a residential mortgage until the mortgagor's period of redemption expires. The amendment also clarifies that the provision in the bill does not impair the right of a mortgagee to exercise rights set forth in the mortgage or security instrument to protect the mortgaged property.

Enacted Law Summary

Public Law 2017, chapter 133 provides that a writ of possession may not issue in a foreclosure action that involves a residential mortgage until the mortgagor's period of redemption expires. The period of redemption expires 90 days from the date of judgment for mortgages executed on or after October 1, 1975 and one year from the date of judgment for mortgages executed prior to October 1, 1975.

The law also clarifies that the statutory provision does not impair the right of a mortgagee to exercise rights set forth in the mortgage or security instrument to protect the mortgaged property.

LD 900 An Act Regarding Insurance Coverage of Certain Dental Services

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING A MALABY R	ONTP OTP-AM	