

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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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

Enacted Law Summary

Public Law 2017, chapter 190 amends the requirements in current law relating to coverage of contraceptives to include coverage for contraceptive supplies without cost sharing for at least one drug, device or other product for each contraceptive method. If a health care provider recommends a particular contraceptive supply on the basis of medical necessity, coverage must be provided for that particular supply without cost sharing. The law also clarifies that coverage must be provided for contraceptives dispensed for a 12-month period at the discretion of the health care provider.

The requirements of Public Law 2017, chapter 190 apply to all individual and group policies and contracts issued or renewed on or after January 1, 2019.

LD 1242 An Act To Prevent Abusive Debt Collection Tactics by Debt Buyers

ONTP

Sponsor(s)

COOPER J

Committee Report

ONTP

Amendments Adopted

This bill amends the Maine Fair Debt Collection Practices Act to give debtors certain protections with respect to debt buyers. A debt buyer may not sell or transfer ownership of a debt or pursue collection activities regarding a debt without possessing specified information, including the names of the original creditor and all intervening creditors. If the debt collector initiates a court action to collect the debt, specific information about the original creditor, the intervening creditors and the basis for any interest, fees and charges must be included in the complaint.

This bill establishes an annual rate of six percent as the maximum post-judgment interest rate applicable to a judgment obtained by a debt buyer.

The bill further provides that a debt may not be collected if a debt buyer violates the Maine Fair Debt Collection Practices Act.

A related bill, LD 1199, An Act to Promote Fiscal Responsibility in the Purchasing of Debt, was enacted as Public Law 2017, chapter 216. See summary for LD 1199.

LD 1274 An Act To Promote Universal Health Care, Including Dental, Vision and Hearing Care

ONTP

Sponsor(s)

BROOKS H
GRATWICK G

Committee Report

ONTP

Amendments Adopted

This bill establishes a single-payer health care system in the State, effective July 1, 2020, that finances health care services for most Maine residents. The bill directs the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Insurance and Financial Services to jointly submit during the 2017 legislative interim legislation to fully implement the single-payer system.

As a result of the committee's deliberations on LD 1274, a joint order, S.P. 592, was introduced to establish the Task Force to Encourage Health Care for All. The joint order establishes the task force to propose at least three design options for creating a system of health care that ensures all residents of the State have access to and coverage for affordable, quality health care. The joint order requires the task force to submit a preliminary report to the Legislature prior to January 2018 and a final report no later than November 1, 2018. The joint order was amended

Joint Standing Committee on Insurance and Financial Services

to require that the costs of the task force be paid for with outside funding. S.P. 592 as amended by House Amendment "A" (H-564) was finally passed on July 20, 2017.

LD 1279 An Act To Ensure Patient Protections in the Health Insurance Laws

CARRIED OVER

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

This bill allows children 26 years of age and younger to remain on their parents' health insurance policy. It clarifies that carriers offering individual or group health plans may not establish lifetime or annual limits on the dollar value of benefits. It clarifies that individual, group and blanket health plans may not impose a preexisting condition exclusion on any enrollee.

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

LD 1292 An Act To Improve the Foreclosure Process by Regulating Mortgage Loan Servicers

PUBLIC 106

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOW D WALLACE R	OTP-AM	S-95

This bill amends the Maine Consumer Credit Code to add mortgage loan servicer to the definition of "creditor," to define "mortgage loan servicer" and to require mortgage loan servicers to be licensed in the same manner as supervised lenders are.

Committee Amendment "A" (S-95)

This amendment makes the following changes to the bill.

1. It establishes that the requirements of the bill apply to servicers of first-lien mortgages.
2. It clarifies that servicers must comply with the real estate settlement procedures requirements and the truth in lending requirements of Maine law by adding specific reference to servicers to the Maine Revised Statutes, Title 9-A, Article 9.
3. It removes a section of the bill that unnecessarily modifies a reference to supervised financial institutions.
4. It clarifies that the bill is not intended to assert jurisdiction by the Bureau of Consumer Credit Protection within the Department of Professional and Financial Regulation over financial institution holding companies or mutual holding companies.

Enacted Law Summary

Public Law 2017, chapter 106 amends the Maine Consumer Credit Code to add mortgage loan servicer to the definition of "creditor," to define "mortgage loan servicer" and to require mortgage loan servicers to be licensed in the same manner as supervised lenders are. The law requires that mortgage loan servicers must comply with the real estate settlement procedures requirements and the truth in lending requirements of Maine law by adding specific reference to servicers to the Maine Revised Statutes, Title 9-A, Article 9.