

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON HEALTH COVERAGE,
INSURANCE AND FINANCIAL SERVICES**

August 2019

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STAFF:

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

*Committee member for a portion of the session

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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 129th 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 129th Legislature is Thursday, September 19, 2019. 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 Health Coverage, Insurance and Financial Services

4. Simplifies the process for a credit union or financial institution to participate in the program;
5. Extends the time period for an eligible financial institution to make a claim for a loan guarantee from between 180 and 210 days following the end of the grace period to between 180 and 300 days following the end of the grace period;
6. Requires the Treasurer of State to make loan guarantee payments to the Finance Authority of Maine, or FAME, instead of the eligible financial institution;
7. Clarifies that an eligible financial institution may not use an affected employee's creditworthiness as a factor to determine eligibility for the program;
8. Clarifies that the terms of the loan agreement under the program apply notwithstanding any other state or federal law to the contrary;
9. Requires that an eligible financial institution disclose that loan information may be shared with FAME;
10. Clarifies that loans may not be made under the program after a shutdown ends;
11. Requires that the transfer from the unappropriated surplus of the General Fund happen no later than 14 days following the effective date of this legislation instead of no later than February 15, 2019;
12. Requires that the Joint Standing Committee on Appropriations and Financial Affairs consult with the Joint Standing Committee on Health Coverage, Insurance and Financial Services before reporting out any legislation to address funding needs for the program; and
13. Corrects an error in the allocations section of the bill.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 519 An Act To Expand Adult Dental Health Insurance Coverage CARRIED OVER

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

This bill expands the availability of coverage for comprehensive dental services.

Part A of the bill broadens the scope of required coverage under the MaineCare program for adults. Under current law, coverage for adults over age 21 is limited to certain services.

Part B of the bill requires health insurance carriers to provide coverage for comprehensive dental services. Part B applies to policies and contracts issued or renewed on or after January 1, 2020.

Part C of the bill requires dentists as a condition of license renewal to adopt and implement policies to provide comprehensive dental services through charity care or financial assistance to persons without MaineCare coverage or private health insurance. Part C also authorizes the Board of Dental Practice to adopt rules relating to this requirement.

Joint Standing Committee on Health Coverage, Insurance and Financial Services

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 530 An Act To Protect Medical Payments Coverage for Consumers

PUBLIC 182

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARDONE B SANBORN H	OTP-AM	H-242

This bill amends the subrogation law related to medical payments coverage to require a health care provider to notify the insured and any other person reasonably likely to be able to submit a claim prior to submitting any claim for payment of any hospital, nursing, medical or surgical services or of any expenses paid or reimbursed under the medical payments coverage in a policy. The bill also prohibits an insurer from paying a claim for payment of any hospital, nursing, medical or surgical services or of any expenses paid or reimbursed under the medical payments coverage in a policy if an insured is entitled to coverage under any other health insurance policy or contract and requires an insurer to provide at least 14 days' notice to an insured before paying such a claim.

The bill also makes it clear that an insurer that violates any of the policy requirement provisions is subject to enforcement and penalties under the unfair claims settlement practices laws.

Committee Amendment "A" (H-242)

This amendment replaces the bill. The amendment is based on a New Hampshire law. The amendment does the following.

1. It prohibits a health insurance carrier from coordinating benefits against medical payments coverage in a casualty insurance policy.
2. It provides that medical payments coverage is assignable only by agreement between the insured and the casualty insurer.
3. It provides that the insured has the right to submit a claim for medical expenses under medical payments coverage in a casualty insurance policy. It also provides that an insured may submit a claim under a health insurance policy, except that an insured is not entitled to duplicate payment from medical payments coverage and a health insurance policy for the same medical expense.

Enacted Law Summary

Public Law 2019, chapter 182 makes the following changes related to medical payments coverage in a casualty insurance policy.

1. It prohibits a health insurance carrier from coordinating benefits against medical payments coverage in a casualty insurance policy.
2. It provides that medical payments coverage is assignable only by agreement between the insured and the casualty insurer.
3. It provides that the insured has the right to submit a claim for medical expenses under medical payments coverage in a casualty insurance policy. It also provides that an insured may submit a claim under a health insurance policy, except that an insured is not entitled to duplicate payment from medical payments coverage and a health insurance policy for the same medical expense.