

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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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.

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reasonably believe that financial exploitation of a vulnerable adult may have occurred, may have been attempted or is being attempted. It defines "qualified individual" to mean an agent, an investment adviser representative and a person who serves in a supervisory, compliance or legal capacity for a broker-dealer or investment adviser.

The bill also:

1. Authorizes broker-dealers and investment advisers who suspect financial exploitation to delay disbursing funds from a vulnerable adult's account;
2. Authorizes disclosure by qualified individuals to third parties in certain instances in which a vulnerable adult has previously designated the third party;
3. Prohibits disclosure to the third party if the qualified individual suspects the 3rd party of the financial exploitation;
4. Provides immunity from administrative and civil liability for actions taken consistent with the law; and
5. Requires that broker-dealers and investment advisers comply with certain requests for information.

Enacted Law Summary

Public Law 2019, chapter 17 requires reporting to the Securities Administrator within the Department of Professional and Financial Regulation, Office of Securities and the Department of Health and Human Services by qualified individuals who reasonably believe that financial exploitation of a vulnerable adult may have occurred, may have been attempted or is being attempted. It defines "qualified individual" to mean an agent, an investment adviser representative and a person who serves in a supervisory, compliance or legal capacity for a broker-dealer or investment adviser.

The law also:

1. Authorizes broker-dealers and investment advisers who suspect financial exploitation to delay disbursing funds from a vulnerable adult's account;
2. Authorizes disclosure by qualified individuals to 3rd parties in certain instances in which a vulnerable adult has previously designated the third party;
3. Prohibits disclosure to the third party if the qualified individual suspects the third party of the financial exploitation;
4. Provides immunity from administrative and civil liability for actions taken consistent with the law; and
5. Requires that broker-dealers and investment advisers comply with certain requests for information.

LD 594

An Act To Promote Individual Savings Accounts through a Public-Private Partnership

CARRIED OVER

Sponsor(s)

VITELLI E
TEPLER D

Committee Report

Amendments Adopted

This bill establishes the Maine Retirement Savings Board and authorizes the board to develop a program to offer individual defined contribution retirement accounts for persons employed in the State who do not have access to a

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qualified retirement plan through their employers or who are self-employed.

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

LD 598 An Act Regulating Employee Benefit Excess Insurance CARRIED OVER

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

This bill provides that an insurer or a subsidiary of an insurer may not provide employee benefit excess insurance to an employer that is eligible for a small group health plan.

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

LD 616 An Act To Create Uniform Practices for Medicare Beneficiaries in Small Group Plans ONTP

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

This bill requires an insurer that provides health care coverage to a group with fewer than 20 employees to be the primary insurer for the payment of benefits to or on behalf of any insured under the group contract who is eligible for Medicare Part B coverage.

LD 641 An Act To Save Lives through Epinephrine Autoinjector Accessibility ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S ACKLEY K	ONTP	

This bill authorizes pharmacists to prescribe and dispense epinephrine autoinjectors at no cost to a person of any age who the pharmacist reasonably believes is at risk of experiencing severe allergic reactions, including anaphylaxis, or to a person who is in a position to assist the other person if the other person is at risk of experiencing severe allergic reactions, including anaphylaxis. It creates a fund within the Department of Health and Human Services to reimburse a pharmacist who has prescribed and dispensed an epinephrine autoinjector and directs the department to adopt routine technical rules to implement the fund.

LD 659 An Act Regarding the Use of Interchangeable Biological Products PUBLIC 34

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A GRATWICK G	OTP	