

# 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  
129<sup>TH</sup> 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

**MEMBERS:**

SEN. HEATHER B. SANBORN, CHAIR  
SEN. GEOFFREY M. GRATWICK  
SEN. ROBERT A. FOLEY

REP. DENISE A. TEPLER, CHAIR  
REP. MICHAEL F. BRENNAN  
REP. ANNE MARIE MASTRACCIO  
REP. HEIDI E. BROOKS\*  
REP. GINA M. MELARAGNO  
REP. VICTORIA FOLEY  
REP. DWAYNE W. PRESCOTT  
REP. MARK JOHN BLIER  
REP. JOSHUA MORRIS  
REP. GREGORY LEWIS SWALLOW  
REP. H. SCOTT LANDRY, JR.\*

**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

# STATE OF MAINE

129<sup>TH</sup> 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 129<sup>th</sup> 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 129<sup>th</sup> 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*

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	

## Joint Standing Committee on Health Coverage, Insurance and Financial Services

This bill provides for pharmacist substitution of interchangeable biological products for prescribed biological products in a manner similar to the current regulation of generic drug substitution. The bill defines "biological product" and "interchangeable biological product."

### Enacted Law Summary

Public Law 2019, chapter 34 provides for pharmacist substitution of interchangeable biological products for prescribed biological products in a manner similar to the current regulation of generic drug substitution. The law also defines "biological product" and "interchangeable biological product."

### LD 688 An Act To Set Maine Dental Provider Licensing Fees

PUBLIC 92

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO A	OTP-AM	H-112

This bill provides that the total fee for a dental hygienist license, together with any additional authorities, may not exceed \$150.

### Committee Amendment "A" (H-112)

This amendment replaces the bill and clarifies the maximum licensing fees for dental providers. The amendment provides that the maximum fee for an initial license or a license renewal for a dentist and for a sedation permit is \$1,000 and that the maximum fee for an initial license or a license renewal for a dental hygienist is \$200; otherwise the maximum fee of \$550 for any one purpose under current law continues to apply.

### Enacted Law Summary

Public Law 2019, chapter 92 provides that the maximum fee for an initial license or a license renewal for a dentist and for a sedation permit is \$1,000 and that the maximum fee for an initial license or a license renewal for a dental hygienist is \$200; otherwise the maximum fee of \$550 for any one purpose under current law continues to apply.

### LD 705 An Act Regarding the Process for Obtaining Prior Authorization for Health Insurance Purposes

PUBLIC 273

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK G HYMANSON P	OTP-AM	S-175

This bill amends the prior authorization process for health insurance carriers. It reduces the time frame for a carrier's response to a prior authorization request and it exempts medication-assisted treatment for opioid use disorder from prior authorization requirements.

The bill also requires a health insurance carrier to develop an electronic transmission system for prior authorization of prescription drug orders by January 1, 2020 and for medical services by July 1, 2020.

### Committee Amendment "A" (S-175)

This amendment replaces the bill. The amendment does the following to amend the prior authorization process for health insurance carriers.

1. It reduces the time frame for a carrier's response to a prior authorization request from 2 business days to 72