

# MAINE STATE LEGISLATURE

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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

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# STATE OF MAINE

129<sup>TH</sup> 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 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*

**LD 1296 An Act To Clarify the Scope of Practice of Certain Licensed Professionals Regarding Conversion Therapy**

**Died On  
Adjournment**

Sponsor(s)

AUSTIN S  
DOW D

Committee Report

Amendments Adopted

This bill does the following.

1. It defines "conversion therapy" as any aversive practice or treatment that seeks to change an individual's sexual orientation or gender identity except for talk therapy; counseling or treatment intended to assist an individual undergoing a gender transition; counseling intended to provide acceptance, support and understanding to the individual; and counseling intended to facilitate the individual's coping, social support or identity exploration and development, including any therapeutic intervention that is neutral with regard to sexual orientation and that seeks to prevent or address unlawful conduct or unsafe sexual practices, as long as the counseling does not seek to change the individual's sexual orientation or gender identity.
2. It defines "aversive practice or treatment" as any practice or treatment that is intended to induce changes in behavior through unpleasant stimuli or punishment and provides examples of aversive practices or treatments.
3. It provides that advertising, offering or administering conversion therapy to individuals under 18 years of age in the State is an unfair trade practice. Court actions involving conversion therapy brought against health care providers under the Maine Unfair Trade Practices Act are not governed by the specialized procedures set forth in the Maine Health Security Act for actions involving professional negligence.
4. It prohibits school psychologists and guidance counselors, nurses, doctors, physician assistants, psychologists, psychological examiners, alcohol and drug counselors and aides, social workers, pharmacists and pharmacy technicians, professional counselors, marriage and family therapists, pastoral counselors, speech-language pathologists and assistants and audiologists from administering conversion therapy to individuals under 18 years of age. Administration of conversion therapy to an individual under 18 years of age in violation of this prohibition is grounds for discipline of the professional by the department or board that issued the professional's license, certification or registration, including but not limited to suspension or revocation of the license, certification or registration.
5. It prohibits MaineCare reimbursement for conversion therapy administered to an individual who is under 18 years of age.

See related bill, LD 1025, "An Act to Prohibit the Provision of Conversion Therapy to Minors by Certain Licensed Professionals," which was enacted as Public Law 2019, chapter 165.

**LD 1303 An Act To Establish the State Board of Dental Hygiene**

**Leave to Withdraw  
Pursuant to Joint  
Rule**

Sponsor(s)

MASTRACCIO A

Committee Report

Amendments Adopted

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to establish the State Board of Dental Hygiene as a board affiliated with the Department of Professional and Financial Regulation that is separate from, but shares resources with, the Board of Dental Practice. The State Board of Dental Hygiene would regulate the licensing, practice and discipline of dental hygienists.

**LD 1314 An Act To Extend Protections for Genetic Information**

**PUBLIC 208**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITE B	OTP-AM	H-271

Under current law, when considering the issuance, withholding, extension or renewal of an insurance policy for life, credit life, disability, long-term care, accidental injury, specified disease, hospital indemnity or credit accident insurance or an annuity, an insurer may consider an applicant's genetic information or the results of an applicant's genetic test as long as the consideration of genetic information or test results does not constitute "unfair discrimination." This bill strikes language that authorizes the consideration of genetic information or test results and instead prohibits an insurer from discriminating against an individual on the basis of genetic information or the results of a genetic test in the issuance, withholding, extension or renewal of an insurance policy for life, credit life, disability, long-term care, accidental injury, specified disease, hospital indemnity or credit accident insurance or an annuity.

**Committee Amendment "A" (H-271)**

This amendment replaces the bill. The amendment requires that an insurer obtain the informed written consent of an individual before requesting, requiring, purchasing or using any information from an entity providing direct-to-consumer genetic testing in connection with the issuance, withholding, extension or renewal of an insurance policy for life, credit life, disability, long-term care, accidental injury, specified disease, hospital indemnity or credit accident insurance or an annuity.

**Enacted Law Summary**

Public Law 2019, chapter 208 requires that an insurer obtain the informed written consent of an individual before requesting, requiring, purchasing or using any information from an entity providing direct-to-consumer genetic testing in connection with the issuance, withholding, extension or renewal of an insurance policy for life, credit life, disability, long-term care, accidental injury, specified disease, hospital indemnity or credit accident insurance or an annuity.

**LD 1349 An Act To Create a Licensing Board and Licensure Requirements for Intentional Peer Support Specialists**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANDY J	ONTP	

This bill creates the State Board of Intentional Peer Support Specialists and licensing requirements for the practice of intentional peer support in the State, modeled on the laws governing alcohol and drug counselors.