

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.

Joint Standing Committee on Health Coverage, Insurance and Financial Services

This bill prevents the State from requiring persons licensed by the Board of Osteopathic Licensure or the Board of Licensure in Medicine, including physician assistants, or the State Board of Nursing to give patients information that is medically inaccurate or perform medical services that are inconsistent with evidence-based standards. It also provides that the State may not prohibit a person licensed under these professional boards from providing patients with medically accurate information or evidence-based medical services.

LD 1384 An Act Relating to Complementary and Alternative Medicine Licensure ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOORE M TUELL W	ONTP	

This bill establishes a licensing requirement for holistic health practitioners, defines "holistic health practitioner," establishes applicant eligibility requirements and license renewal requirements and establishes the scope of practice.

See related bill, LD 364.

LD 1387 An Act To Increase Access to Safe and Affordable Prescription Drugs CARRIED OVER

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

Under the Federal Food, Drug, and Cosmetic Act, the importation of unapproved new prescription drugs, including foreign-made versions of prescription drugs that have been approved by the federal Department of Health and Human Services, Food and Drug Administration, is prohibited. However, the Food and Drug Administration has developed guidance that allows the personal importation of certain drugs.

This bill, using the guidance developed by the federal Department of Health and Human Services, Food and Drug Administration, enacts the Maine Pharmaceutical Drug Safety Act to allow an individual in Maine to import prescription drugs from Canada as long as specific criteria are met, including that the drug is imported for personal use, that the individual importing the drug has a valid prescription, that the drug does not present an unreasonable risk to the individual and that no more than a 90-day supply of the drug is imported. The prescription drug to be imported must also meet specific requirements. The importation of controlled substances and prescription drugs for sale or resale is specifically prohibited.

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

LD 1389 An Act To Address Transparency, Accountability and Oversight of Pharmacy Benefit Managers ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT M BLIER M	ONTP	

This bill requires that pharmacy benefit managers, which are entities that manage an insurer's prescription drug coverage, be registered by the Department of Health and Human Services. It sets standards for registration

Joint Standing Committee on Health Coverage, Insurance and Financial Services

including:

1. Allowing the department to revoke, suspend or place on probation a pharmacy benefit manager's registration for fraudulent activities, to protect the safety and interest of a consumer or if the pharmacy benefit manager violates state law;
2. Setting out required pharmacy benefit manager business practices, including:
 - A. Placing a fiduciary duty on the managers with respect to the insurers who are the managers' clients;
 - B. Prohibiting the manager from entering into a contract that prohibits a pharmacy or pharmacist from recommending a lower cost or alternative prescription medication than the medication under a covered person's prescription drug plan;
 - C. Prohibiting the manager from requiring accreditation or certification for a pharmacy inconsistent with, more stringent than or in addition to those required by the Maine Board of Pharmacy and other state and federal authorities;
 - D. Limiting the amount of payment required by a covered person for a prescription drug at the point of sale; and
 - E. Prohibiting conflicts of interest; and
3. Requiring an annual report from a pharmacy benefit manager that details the rebates received by the pharmacy benefit manager from pharmaceutical manufacturers for use of the manufacturers' prescription drugs and the disposition of those rebates.

See related bill, LD 1504.

LD 1402 An Act To Allow State-chartered Credit Unions To Service Medical and ONTP
Adult Use Marijuana Business Accounts

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

This bill allows state-chartered credit unions to procure private insurance in lieu of share insurance from the National Credit Union Administration to facilitate the provision of financial services to registered dispensaries or registered caregivers authorized under the Maine Medical Use of Marijuana Act, to entities licensed under the Marijuana Legalization Act and to their employees.

LD 1406 An Act To Require Certification of Radiologic Technologists Who Are ONTP
Licensed Chiropractic Assistants

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WADSWORTH N HAMPER J	ONTP	

This bill requires the certification of radiologic technologists who produce x-rays while employed as licensed chiropractic assistants. Certification requirements include satisfactory completion of a radiologic technology course of instruction of at least 50 hours and passing an examination approved by the Board of Chiropractic Licensure.