

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST SPECIAL AND SECOND REGULAR SESSIONS



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

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

November 2020

STAFF:

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

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STATE OF MAINE

129TH 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 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

LD 1661 An Act To Create the Drug Donation and Redispensing Program

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLAXTON N	OTP-AM	S-227

This bill was carried over from the First Regular Session of the 129th Legislature on the Special Appropriations Table by joint order H.P. 1322.

This bill establishes the drug donation and redispensing program under the Department of Health and Human Services. The program collects donations of unused prescription and legend drugs from health care providers, health care facilities and other sources, including at drop-off locations throughout the State, and redispenses the drugs through participating pharmacies to qualified low-income persons.

Committee Amendment "A" (S-227)

This amendment adds a provision to protect a person from civil or criminal liability and from professional discipline of a licensing board for actions taken by a person in good faith in accordance with the requirements of the drug donation and redispensing program established in the bill.

This bill was again carried over, still on the Special Appropriations Table, to any special session of the 129th Legislature by joint order, S.P. 788.

LD 1673 An Act To Prohibit Prescription Drug Advertising

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN B TEPLER D	ONTP	

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill amends current law, which allows the advertising of prescription drugs only if the advertisement is not misleading, to ban completely, beginning January 1, 2020, the advertising of prescription drugs, either by broadcast by a television or radio station in this State, over the Internet from a location in this State or in a magazine or newspaper printed, distributed or sold in this State. A violation is a violation of the Maine Unfair Trade Practices Act.

LD 1704 An Act To Establish the Securities Restitution Assistance Fund for Victims of Securities Violations

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARNETT T CARPENTER M	OTP-AM	H-569

Joint Standing Committee on Health Coverage, Insurance and Financial Services

This bill was carried over from the First Regular Session on the Special Appropriations Table by joint order H.P. 1322.

This bill establishes in the Department of Professional and Financial Regulation, Office of Securities the Securities Restitution Assistance Fund. The fund will be used to provide financial assistance to victims of securities violations that have been awarded restitution in a final order issued by the Securities Administrator or were awarded restitution in a final order in a legal action initiated by the administrator and that have not received the full amount of restitution ordered before the application for restitution assistance is due. The fund will be funded initially by a one-time transfer of \$350,000 from the dedicated revenue of the Office of Securities. Thereafter, the fund will be funded by the civil fines ordered or agreed to by the administrator, a portion of broker-dealer agent and investment adviser representative renewal fees and any grants, donations or other money received by the administrator for victim restitution assistance.

Committee Amendment "A" (H-569)

This amendment replaces the appropriations and allocations section in the bill.

This bill was again carried over, still on the Special Appropriations Table, to any special session of the 129th Legislature by joint order, S.P. 788.

LD 1755 An Act To Move Maine Toward Affordable Health Care for Everyone

**Leave to Withdraw
Pursuant to Joint
Rule**

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

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill requires the Commissioner of Health and Human Services to submit a waiver under Section 1332 of the federal Patient Protection and Affordable Care Act to establish a MaineCare purchase option so that residents of Maine who are not otherwise eligible for the MaineCare program may participate in the program. The waiver must include authority for individuals who qualify for advance tax credits and cost-sharing credits to use them to purchase coverage through the MaineCare program. Individuals participating in the MaineCare purchase option may access the same services as other MaineCare members. The commissioner is required to implement mechanisms to ensure the long-term sustainability of the MaineCare purchase option. Rates are set by the Department of Health and Human Services and determined actuarially, and the open enrollment period is the same as the period for individuals purchasing insurance on the federal exchange. The department is required to submit a progress report on the request for the waiver as well as annual reports to the joint standing committees of the Legislature having jurisdiction over health and human services matters and insurance matters.

LD 1764 An Act To Prevent Insurance Discrimination in Life, Long-term Care and Disability Income Insurance

PUBLIC 596

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN H	OTP-AM ONTP	S-403