

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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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

compliance of health insurance carriers doing business in this State with federal and state mental health parity laws. The Superintendent of Insurance is required to either authorize a market conduct examination or use a survey tool to assess compliance and to report back to the Joint Standing Committee on Health Coverage, Insurance and Financial Services no later than January 30, 2020. The committee is authorized to report out legislation to the Second Regular Session of the 129th Legislature based on the results.

Enacted Law Summary

Resolve 2019, chapter 72 requires the Superintendent of Insurance to determine the compliance of health insurance carriers doing business in this State with federal and state mental health parity laws. The Superintendent of Insurance is required to either authorize a market conduct examination or use a survey tool to assess compliance and to report back to the Joint Standing Committee on Health Coverage, Insurance and Financial Services no later than January 30, 2020. The committee is authorized to report out legislation to the Second Regular Session of the 129th Legislature based on the results.

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

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 reported out of committee and then carried over to any special or regular session, or both, on the Special Appropriations Table by joint order, H.P. 1322.

LD 1712 An Act To Amend and Clarify the Maine Uniform Securities Act and To Make a Technical Correction in the Law Concerning Financial Planners PUBLIC 252

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOLEY R	OTP	

Part A corrects a late fee provision that is currently applied to certain securities filings that are made between 16 and 30 days after the first sale of the securities in the State. This Part applies the late fee to any applicable filing made 16 or more days after the first sale of the securities in the State.

Part B makes a technical correction by repealing a statute enacted in 1985 governing financial planners.

Joint Standing Committee on Health Coverage, Insurance and Financial Services

Enacted Law Summary

Public Law 2019, chapter 252 corrects a late fee provision that is currently applied to certain securities filings that are made between 16 and 30 days after the first sale of the securities in the State. The law applies the late fee to any applicable filing made 16 or more days after the first sale of the securities in the State.

Public Law 2019, chapter 252 also makes a technical correction by repealing a statute enacted in 1985 governing financial planners.

LD 1716 An Act To Update the Licensing Laws for Occupational Therapy Practice

PUBLIC 287

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO A	OTP-AM	H-402

This bill updates language in the laws governing occupational therapy practice, including occupational therapists and occupational therapy assistants, establishes an inactive license status for licensees and repeals the continuing education requirement for licensees. The bill also repeals a residency provision for applicants and the character reference requirement for foreign-trained applicants.

Committee Amendment "A" (H-402)

This amendment removes the section of the bill authorizing an occupational therapy practitioner to apply for an inactive license as the licensing board already has the authority to take that action by rule under the Maine Revised Statutes, Title 10, section 8003.

Enacted Law Summary

Public Law 2019, chapter 287 updates language in the laws governing occupational therapy practice, including occupational therapists and occupational therapy assistants, establishes an inactive license status for licensees and repeals the continuing education requirement for licensees. The law also repeals a residency provision for applicants and the character reference requirement for foreign-trained applicants.

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

CARRIED OVER

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

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.