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^{th} 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

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

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/

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.

CON RES XXX	CARRIED OVER
CONF CMTE UNABLE TO AGREE	CON RES XXX
DIED IN CONCURRENCE	CONF CMTE UNABLE TO AGREE
DIED IN CONCURRENCE	DIED BETWEEN HOUSES
EMERGENCY	DIED IN CONCURRENCE defeated in each house, but on different motions; legislation died
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE	DIED ON ADJOURNMENT action incomplete when session ended; legislation died
FAILED, ENACTMENT or FINAL PASSAGE	EMERGENCYenacted law takes effect sooner than 90 days after session adjournment
FAILED, MANDATE ENACTMENT	FAILED, EMERGENCY ENACTMENT or FINAL PASSAGEemergency failed to receive required 2/3 vote
HELD BY GOVERNOR	FAILED, ENACTMENT or FINAL PASSAGE failed to receive final majority vote
LEAVE TO WITHDRAW	FAILED, MANDATE ENACTMENTlegislation proposing local mandate failed required 2/3 vote
NOT PROPERLY BEFORE THE BODYruled out of order by the presiding officer; legislation died INDEF PPindefinitely postponed; legislation died ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X ought-not-to-pass report accepted; legislation died P&S XXX	HELD BY GOVERNOR Governor has not signed; final disposition to be determined at subsequent session
INDEF PP	LEAVE TO WITHDRAWsponsor's request to withdraw legislation granted
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X ought-not-to-pass report accepted; legislation died P&S XXX	
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X ought-not-to-pass report accepted; legislation died P&S XXX	INDEF PP indefinitely postponed; legislation died
PUBLIC XXX	
PUBLIC XXX	P&S XXXchapter # of enacted private & special law
RESOLVE XXX	PUBLIC XXX chapter # of enacted public law
VETO SUSTAINEDLegislature failed to override Governor's veto	
	VETO SUSTAINEDLegislature 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

period or while a motor vehicle is under the control of a provider and the insurer of such a provider does not have a duty to defend and indemnify a shared vehicle owner or shared vehicle driver when a shared vehicle owner or shared vehicle driver commits intentional fraud or makes a material misrepresentation to a provider and the loss or injury resulted from the fraud or material misrepresentation.

4. It clarifies that surplus lines insurance may be used.

This bill, which had been voted but not yet reported out of committee, was carried over in committee to any special session of the 129th Legislature by joint order, S.P. 788.

LD 2078 Resolve, Regarding Legislative Review of Portions of Chapter 100: Enforcement Procedures, a Major Substantive Rule of the Maine Health Data Organization

RESOLVE 123 EMERGENCY

Sponsor(s)	<u>Committee Report</u>	Amendments Adopted
	OTP-AM	Н-689

This resolve provides for legislative review of portions of Chapter 100: Enforcement Procedures, a major substantive rule of the Maine Health Data Organization.

Committee Amendment "A" (H-689)

This amendment provides that final adoption of portions of Chapter 100: Enforcement Procedures, a provisionally adopted major substantive rule of the Maine Health Data Organization, is authorized only if the organization corrects a cross-reference to a statutory definition used in the rule prior to final adoption.

Enacted Law Summary

Resolve 2019, chapter 123 authorizes final adoption of portions of Chapter 100: Enforcement Procedures, a provisionally adopted major substantive rule of the Maine Health Data Organization, only if the organization corrects a cross-reference to a statutory definition used in the rule prior to final adoption.

Resolve 2019, chapter 123 was finally passed as an emergency measure effective March 17, 2020.

LD 2080

Resolve, Regarding Legislative Review of Portions of Chapter 104: Maine State Services Manual, Section 8, Wholesale Prescription Drug Importation Program, a Major Substantive Rule of the Department of Health and Human Services

RESOLVE 136 EMERGENCY

Sponsor(s)	<u>Committee Report</u>	Amendments Adopted
	OTP-AM	H-715

ı

This resolve provides for legislative review of portions of Chapter 104: Maine State Services Manual, Section 8, Wholesale Prescription Drug Importation Program, a major substantive rule of the Department of Health and Human Services.

Committee Amendment "A" (H-715)

This amendment provides that final adoption of portions of Chapter 104: Maine State Services Manual, Section 8, Wholesale Prescription Drug Importation Program, a provisionally adopted major substantive rule of the Department of Health and Human Services, is authorized only if the department incorporates certain specific

Joint Standing Committee on Health Coverage, Insurance and Financial Services

amendments to the rule prior to final adoption.

Enacted Law Summary

Resolve 2019, chapter 136 authorizes final adoption of portions of Chapter 104: Maine State Services Manual, Section 8, Wholesale Prescription Drug Importation Program, a major substantive rule of the Department of Health and Human Services, only if the department incorporates certain specific amendments to the rule prior to final adoption.

The resolve requires that the rule be amended to specify that the Department of Health and Human Services shall submit an application to the United States Department of Health and Human Services to establish a state importation program no later than May 1, 2020. The resolve also requires that the rule be amended to also require that, if the final federal rule is not released before May 1, 2020, the department shall submit a subsequent or revised application to establish a state importation program as soon as is practicable after the release of the final federal rule.

Resolve 2019, chapter 123 was finally passed as an emergency measure effective March 18, 2020.

LD 2095 An Act To Require Appropriate Coverage of and Cost-sharing for Generic Drugs and Biosimilars

ONTP

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	ONTP	
GIDEON S		

This bill establishes requirements for the coverage of and cost-sharing for generic drugs, biosimilars and branded pharmaceuticals when dispensed by pharmacies as outpatient prescription drugs under health plans offered by carriers that provide coverage for prescription drugs.

LD 2096 An Act To Save Lives by Capping the Out-of-pocket Cost of Certain Medications

PUBLIC 666 EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
GIDEON S	OTP-AM	H-772
JACKSONT		H-778 MOONEN M

This bill provides that a health insurance carrier that provides coverage for prescription insulin drugs may not impose a cost-sharing requirement on the enrollee that results in out-of-pocket costs to the enrollee in excess of \$100 per 30-day supply of insulin.

Committee Amendment "A" (H-772)

This amendment replaces the bill.

Part A provides that a health insurance carrier that provides coverage for prescription insulin drugs may not impose a cost-sharing requirement on an enrollee that results in out-of-pocket costs to the enrollee in excess of \$35 per prescription for a 30-day supply of insulin. The requirements apply to all health insurance policies issued or renewed on or after January 1, 2021.

Part B authorizes a pharmacist to dispense emergency refills of insulin and associated insulin-related supplies. The amendment requires that the insulin dispensed be in a quantity that is the lesser of a 30-day supply and the smallest