

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

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

December 2021

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

LD 1 An Act To Establish the COVID-19 Patient Bill of Rights and To Amend the Governor's Emergency Powers

ENACTED LAW SUMMARY

Public Law 2021, chapter 28 does the following.

Part A requires health insurance carriers to provide coverage for COVID-19 screening, testing and immunization services and prohibits a carrier from imposing any cost-sharing requirements on consumers for those services. Part A makes it clear that out-of-network providers may not balance bill for those services. Part A also requires providers to provide prior notice to all patients of any payment or upfront charge and the amount of that payment or charge that will be due from the patient for COVID-19 screening and testing.

Part B authorizes a pharmacist to administer and order COVID-19 vaccines licensed by the United States Food and Drug Administration that are recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices for administration. Part B also requires that health insurance carriers cover a prescription drug prescribed and dispensed to a patient in a quantity sufficient for an extended period of time, not to exceed a 180-day supply, during a state of emergency declared by the Governor, except for certain contraceptive supplies or opioid medications.

Part C requires that the Governor, in dealing with a declared state of emergency, ensure that medical privacy requirements are followed and that health care services and surgeries are not considered nonessential services.

Part D allows delegation of authority by an on-site clinician to certain persons for the administration of COVID-19 vaccines at point-of-dispensing vaccine sites.

Public Law 2021, chapter 28 was enacted as an emergency measure effective March 25, 2021.

LD 4 An Act To Amend the Maine Pharmacy Act

ENACTED LAW SUMMARY

Public Law 2021, chapter 289 makes the following changes to the Maine Pharmacy Act.

1. It clarifies the responsibility of the pharmacist in charge of a pharmacy.
2. It repeals the character reference requirement for licensure.
3. It repeals outdated language related to licensure by endorsement and replaces it with language authorizing the Maine Board of Pharmacy to adopt rules to grant licensure by endorsement, consistent with similar authority granted to other professional licensing boards.

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

4. It updates the timeline for certain reporting requirements.
5. It eliminates the requirement for submission of a vaccine administration treatment protocol to and approval by the Maine Board of Pharmacy and requires pharmacies to maintain a protocol on the premises and make it available to the board upon request.
6. It clarifies the definition of compounding under the Maine Pharmacy Act to include the compounding of drugs for distribution to licensed veterinarians for limited office use on behalf of their animal patients. The law directs the Maine Board of Pharmacy to adopt rules to establish the terms and conditions for the compounding and distributing of animal drugs for nonpatient-specific use in veterinary offices and prohibits compounding for veterinarian office use until rules are adopted. The law requires that the Maine Board of Pharmacy consult with the State Board of Veterinary Medicine.

Public Law 2021, chapter 289 was enacted as an emergency measure effective June 21, 2021.

**LD 5 An Act Concerning the Reporting of Health Care Information or Records to the
Emergency Medical Services' Board**

ENACTED LAW SUMMARY

Public Law 2021, chapter 15 allows the Department of Public Safety, Maine Emergency Medical Services, Emergency Medical Services' Board to request and collect health care information or records, including information or records that identify a patient. The law also requires hospitals and physicians, upon request by the board for the purpose of monitoring and improving the provision of emergency medical services and health outcomes, to provide health care information or records concerning individuals who have received emergency medical treatment, except for information or records that include HIV or AIDS status or test results; that relate to referral, treatment or services for a behavioral or mental health disorder or substance use disorder; or that relate to abortion, miscarriage, domestic violence or sexual assault. The law designates as confidential any health care information or records reported to the Emergency Medical Services' Board.

The law also requires the board to adopt rules related to quality initiatives adopted by the board, the authorization and revocation of authorization for a state-designated statewide health information exchange to provide health care information and records to the board and the tracking of health care information and records provided by the exchange to the board.

Public Law 2021, chapter 15 was enacted as an emergency measure effective March 17, 2021.