

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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STAFF:

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

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

LD 51 An Act To Enact the Maine Insurance Data Security Act

ENACTED LAW SUMMARY

Public Law 2021, chapter 24 enacts the Maine Insurance Data Security Act as a new chapter of the Maine Insurance Code effective January 1, 2022. The law establishes standards for information security programs based on ongoing risk assessment for protecting consumers' personal information and requires that licensees comply no later than January 1, 2022, except that, if a licensee contracts with a 3rd-party service provider, the licensee must require that provider to implement appropriate administrative, technical and physical safeguards to protect and secure the information systems and nonpublic information that are accessible to or held by the 3rd-party service provider no later than January 1, 2023.

The law also establishes requirements for the investigation of and notification to the Superintendent of Insurance regarding cybersecurity events.

LD 60 An Act To Clarify the Minimum Amount of Emergency Refills of Insulin

ENACTED LAW SUMMARY

Public Law 2021, chapter 20 requires a pharmacist to dispense emergency refills of insulin in at least a 30-day supply unless the intended recipient requests a lesser quantity upon consultation with the pharmacist. The law also requires the pharmacist to notify the practitioner that provided the previous prescription and to instruct the recipient to seek follow-up care from the practitioner as soon as possible.

Public Law 2021, chapter 20 was enacted as an emergency measure effective March 17, 2021.

LD 76 An Act To Amend the Dental Practice Act To Define "Supervision" and Authorize Teledentistry

ENACTED LAW SUMMARY

Public Law 2021, chapter 223 implements the following recommendations for statutory changes from the Board of Dental Practice that were included in the report required by Public Law 2019, chapter 388.

1. It makes changes to the definitions of "direct supervision" and "general supervision" and makes corresponding changes to the activities that may be performed under direct or general supervision by a person licensed by the Board of Dental Practice.
2. It makes changes to provisions governing the delegation authority of dentists to unlicensed persons and to persons licensed by the Board of Dental Practice.

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3. It adds a definition of "teledentistry" and clarifies that teledentistry services may be delivered through interactive video or audio means. It also authorizes oral health care services and procedures to be provided through teledentistry in accordance with rules adopted by the Board of Dental Practice.

Public Law 2021, chapter 223 was enacted as an emergency measure effective June 16, 2021.

LD 120 An Act To Lower Health Care Costs through the Establishment of the Office of Affordable Health Care

ENACTED LAW SUMMARY

Public Law 2021, chapter 459 establishes the Office of Affordable Health Care as an independent executive agency and requires that the office provide oversight and staffing to the Maine Prescription Drug Affordability Board.

The office is charged with analyzing data from the Maine Health Data Organization and the Maine Quality Forum and making recommendations to the joint standing committee of the Legislature having jurisdiction over health coverage matters on methods to improve the cost-efficient provision of high-quality health care to the residents of this State. The office is required to hold an annual public hearing on cost trends no later than October 1st annually at which the public may comment on health care cost trends. The office is required to submit an annual report.

The law creates the Advisory Council on Affordable Health Care to provide advice to the office on matters affecting health care costs in the State. The advisory council consists of 11 appointed members, including members representing various health care interests and members with expertise in health care delivery, health care management, health care finance and administration and health economics and research. The Commissioner of Administrative and Financial Services and the Commissioner of Health and Human Services are ex officio members of the advisory council.

LD 172 Resolve, Directing the Maine Board of Pharmacy To Evaluate Existing Accommodations Available to Persons Who Are Visually Impaired To Access Prescription Information

ENACTED LAW SUMMARY

Resolve 2021, chapter 9 directs the Maine Board of Pharmacy to evaluate the extent to which pharmacies are providing accommodations to persons who are visually impaired that meet the best practices for accessible prescription drug labeling and to submit a report with suggested legislation by January 15, 2022 to the Joint Standing Committee on Health Coverage, Insurance and Financial Services, which may submit legislation to the Second Regular Session of the 130th Legislature.