

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 791 An Act Regarding Telehealth Regulations

ENACTED LAW SUMMARY

Public Law 2021, chapter 291 makes necessary changes to the definitions of "telehealth" and "telemonitoring" in the Maine Revised Statutes, Title 22 and Title 24-A for consistency.

With regard to patients receiving MaineCare coverage, it allows patients to provide verbal, electronic or written consent to telehealth and telemonitoring services.

With regard to health insurance carriers, the law removes restrictions related to the technology used to provide services through telehealth and makes clear that a health insurance carrier must provide coverage for a health care service through telehealth as long as the provider is acting within the scope of practice of the provider's license and in accordance with any rules adopted by the board that issued the provider's license related to standards of practice for the delivery of a health care service through telehealth. The law prohibits a carrier from placing any restriction on the prescribing of medication through telehealth by a provider whose scope of practice includes prescribing medication that is more restrictive than any requirement in state and federal law for prescribing medication through in-person consultation. The law also clarifies that the availability of health care services through telehealth may not be considered for the purposes of demonstrating network adequacy.

With regard to health care providers licensed under the Department of Professional and Financial Regulation, the law authorizes those providers to provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by law and in accordance with standards of practice. The law defines "telehealth services" and authorizes licensing entities to adopt rules to establish standards of practice and restrictions for telehealth services.

Public Law 2021, chapter 291 was enacted as an emergency measure effective June 21, 2021.

LD 800 An Act To Amend Credit and Debit Card Surcharges Imposed by Governmental Entities

ENACTED LAW SUMMARY

Public Law 2021, chapter 150 amends the administrative procedures and services laws pertaining to state finances to explicitly allow a state department or agency to impose a surcharge, including a service fee, for payments made by credit card or debit card for taxes, fines, charges, utility fees, regulatory fees, registration fees, license or permit fees or the provision of a specific service or good provided by that state department or agency. It also amends the Maine Consumer Credit Code – Truth-in-Lending to allow a governmental entity to impose a surcharge for payments made by credit card or debit card for registration fees and goods and includes under the definition of "governmental entity" a state department or agency and a plantation.

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The law requires that a state department or agency must disclose a surcharge prior to payment and that a surcharge may not exceed the costs associated with providing the credit card or debit card service.

LD 863 An Act To Have Maine Join the Interstate Psychology Interjurisdictional Compact

ENACTED LAW SUMMARY

Public Law 2021, chapter 331 enacts the Psychology Interjurisdictional Compact, an interstate compact designed to facilitate the practice of telepsychology and the temporary in-person, face-to-face practice of psychology across state boundaries.

LD 945 An Act Regarding Notice by Health Insurance Carriers of Policy Changes

ENACTED LAW SUMMARY

Public Law 2021, chapter 311 provides that, if a health insurance carrier provides notice of a material change to a provider agreement or manual, policy or procedure document in an electronic communication, the subject line of the electronic communication must indicate that notice of the amendment is included in the communication and the notice of the amendment must be provided as an attachment.

The law makes the changes applicable to a material change to a provider agreement or manual, policy or procedure document made on or after January 1, 2022.

LD 998 An Act To Amend the Continuing Education Requirement for Pharmacists

ENACTED LAW SUMMARY

Public Law 2021, chapter 84 amends the law governing continuing pharmacy education by providing that only pharmacists authorized to administer drugs and immunizations are required to complete at least 2 hours in board-approved courses on drug administration.

LD 1011 An Act To Include Excluded Individuals on Insurance Cards

ENACTED LAW SUMMARY

Beginning January 1, 2022, Public Law 2021, chapter 200 requires that a person excluded from coverage under an insurance policy used as evidence of insurance or financial responsibility under the motor vehicle laws must be explicitly excluded from the policy endorsement. The law does not apply to policies provided to commercial entities.