

MAINE STATE LEGISLATURE

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STATE OF MAINE
131ST 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**

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**LEGISLATIVE DIGEST OF BILLS AND
SUMMARIES OF ENACTED LAWS**

This *Legislative Digest of Bills and Summaries of Enacted Laws* provides the disposition of all LDs and summaries of all laws enacted or finally passed during the First Regular and First Special Sessions of the 131st Maine Legislature. Please note that all LDs and proposed amendments may be found through the Legislature’s webpage, and each includes a summary of what the bill or amendment proposed.

The *Legislative Digest of Bills and Summaries of Enacted Laws* is arranged alphabetically by committee. Within each committee section is a subject index of all LDs considered by that committee as well as a digest of the LDs, arranged by LD number. Also included are enacted law summaries of the LDs enacted or finally passed. Brief analyst notes on certain LDs are also included: a committee digest will indicate if additional notes are provided for an LD. These notes add information staff found useful and may provide useful information to users of this *Digest*; please note that most LDs do not have a note and lack of a note should not be interpreted as having any significance. A separate section of the *Digest* provides a digest of the relatively few LDs that were not referred to a committee or reported from a committee as a committee bill; enacted law summaries of the LDs enacted or finally passed are provided. Finally, an appendix provides a summary of relevant session statistics.

The final disposition of each LD is noted in the relevant summary digest and index. 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 and First Special Sessions of the 131st Legislature is Thursday, June 29, 2023 and Wednesday, October 25, 2023, respectively. 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**

LD 36 An Act to Make Corrections to the Maine Insurance Code

ENACTED LAW SUMMARY

Public Law 2023, chapter 59 makes the following amendments to the Maine Insurance Code.

1. It requires licensees under the Maine Revised Statutes, Title 24-A to respond to all inquiries of the superintendent within 10 business days of receipt of the inquiry. It also requires licensees to respond to follow-up inquiries within 5 business days. Current law requires licensees under Title 24-A to respond to inquiries that relate to resolution of consumer complaints involving the licensee within 14-days and to all other inquiries within 30 days.
2. It clarifies the laws governing domestic insurer investments concerning investments in stocks of subsidiaries. It clarifies that domestic insurance companies are required to get prior approval of the Superintendent of Insurance before investing in stocks of subsidiaries unless, with respect to investments in subsidiaries engaged in the same kinds of business as the insurance company, the investments would not result in the aggregate net cost of the insurer's investments in all such subsidiaries exceeding 50% of its surplus to policyholders.
3. It removes the prohibition on members of the Continuing Education Advisory Committee being reappointed and allows the Superintendent of Insurance to remove a member of the committee for cause.
4. It removes from the small and large group health insurance rating laws obsolete references to the Dirigo Health savings offset payments program.
5. It makes other technical corrections.

LD 97 An Act to Repeal the Hospital and Health Care Provider Cooperation Act

ENACTED LAW SUMMARY

Public Law 2023, chapter 37 repeals the Hospital and Health Care Provider Cooperation Act, which provides state action immunity under applicable federal antitrust laws through a process for state review and approval of agreements between hospitals and other health care providers that will facilitate cost containment, improve quality of care and increase access to health care services.

LD 114 An Act to Make Technical Amendments to Banking Laws

ENACTED LAW SUMMARY

Public Law 2023, chapter 30 makes the following amendments to the Maine Banking Code.

**JOINT STANDING COMMITTEE ON HEALTH COVERAGE,
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1. It provides the Superintendent of Financial Institutions with the authority to reduce assessments by rule or order. Current law only allows the Bureau of Financial Institutions to raise assessments.
2. It clarifies that the superintendent may suspend or postpone action on an application submitted to the bureau in the event that the bureau has no present capacity to supervise the applicant based on a lack of personnel or tools to adequately supervise certain emerging business models in a manner that protects the public and ensures the safety and soundness of the institution.
3. It amends the processes for liquidations of financial institutions to provide that, like standard mergers, fiduciary accounts are automatically transferred to the surviving institution in the event of a merger conducted as part of a liquidation, thus removing the need for such accounts to be transferred by court processes or obtaining consent of account beneficiaries.
4. It clarifies that an uninsured bank must be engaged in the business of banking in order to be organized under the laws governing investor-owned institutions.
5. It eliminates the requirement in current law that all financial institutions must post a copy of their financial statements in their offices. Instead, it requires a federally insured financial institution to post a notice in its main office that this information is available to the public upon request, except that limited purpose banks must continue to post a copy of their financial statements in their offices.

LD 121 An Act to Expand Health Insurance Coverage to Certain State Employees

ENACTED LAW SUMMARY

Beginning November 1, 2023, Public Law 2023, chapter 451 requires the State to pay its share of the individual premium for the state employee health insurance plan for a session-only employee of the Legislature regardless of whether the employee is in active work status unless the session-only employee has health coverage under another plan. The law also clarifies that the payment of premiums is not intended to provide an incentive for employees to artificially delay notice of resignation.

LD 224 An Act to Strengthen Maine's Health Care Workforce by Preventing Discrimination by Requiring Maintenance of Certification for Insurance Reimbursement

ENACTED LAW SUMMARY

Public Law 2023, chapter 40 prohibits health insurance carriers from conditioning reimbursement, provider network or credentialing status for a physician, hospital or outpatient clinical practice on a physician's, hospital's or outpatient clinical practice's participation in a maintenance of certification program.