

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
131<sup>ST</sup> 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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**STATE OF MAINE**  
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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**

chiropractic services, for the first 12 visits of each new episode of care. The prior authorization provision does not limit the right of a carrier to deny a claim when appropriate prospective or retrospective review concludes that services or treatment rendered were not medically necessary.

**LD 1395 An Act to Increase Transparency Regarding Certain Drug Pricing Programs**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 276 requires each hospital to provide an annual report to the Maine Health Data Organization with data related to its participation in the federal 340B drug pricing program consistent with the annual reporting of hospitals voluntarily participating in the good stewardship program of the American Hospital Association. The Maine Health Data Organization must post the annual reports on its publicly accessible website.

**LD 1396 An Act to Clarify the Laws Regarding Delegating Authority for Services Performed by Emergency Medical Services Personnel or Others as a Medical Assistant**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 132 makes the following changes to clarify the laws regarding the delegating authority of a physician or physician assistant to emergency medical services personnel or others as a medical assistant.

1. It clarifies that a licensed emergency medical services person may not simultaneously act as an assistant performing medical services delegated by a physician or physician assistant.
2. It adds cross-references clarifying the authority of a physician assistant to delegate medical services to a licensed emergency medical services person in a hospital or health care facility.
3. It clarifies the laws regarding the delegating authority of a physician and a physician assistant.

**LD 1400 An Act to Allow Certain Social Workers to Diagnose Organic Mental Illnesses**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 315 makes the following changes to the licensing provisions for social workers.

1. It removes the prohibition on social workers' diagnosing organic mental illness to align Maine law with the current Diagnostic and Statistical Manual of Mental Disorders, which now recognizes autism spectrum disorder, attention-deficit/hyperactivity disorder, intellectual

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

disabilities and global developmental delay as organic mental illnesses. The ability to diagnose these mental illnesses is within the scope of practice for licensed clinical social workers.

2. It removes the requirement that a social worker seek a physician's opinion in forming a psychosocial opinion.
3. It repeals an outdated provision relating to the Volunteer Social Workers Project.

**LD 1453 An Act to Amend the Physical Therapy Practice Laws**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 317 amends the laws governing the practice of physical therapy as follows.

1. It includes the term "physiotherapy" in the definition of "physical therapy" and clarifies the definitions of "physical therapist," "physical therapist assistant," "practice of physical therapy" and "referral."
2. It amends the provisions of law governing physical therapy licensure to delineate authorized practices and limitations and referral requirements, including the conditions under which a physical therapist must refer a patient to an advanced practice registered nurse, certified nurse midwife, physician assistant, naturopathic doctor or a licensed doctor of medicine, osteopathy, podiatry, dentistry or chiropractic.
3. It authorizes the Commissioner of Professional and Financial Regulation to determine the date of license renewal and requires the Board of Examiners in Physical Therapy to establish continuing education requirements as a condition of license renewal.
4. It requires the Board of Examiners in Physical Therapy to request a background check, including criminal history record information and fingerprints, for all persons who submit an application for initial licensure or licensure by endorsement. The law provides that the authority to request criminal history record information for an applicant for a license as a physical therapist or physical therapist assistant from the Federal Bureau of Investigation is contingent on approval and authorization from the federal Department of Justice.

**LD 1581 An Act Regarding Dental Hygienists and Dental Therapists**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 354 makes the following changes to the laws related to the licensing and scope of practice of dental hygienists and dental therapists.