

**STATE OF MAINE**  
131<sup>ST</sup> LEGISLATURE  
SECOND REGULAR SESSION



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

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

June 2024

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***Joint Standing Committee on Health Coverage,  
Insurance and Financial Services***

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<b>Not Enacted</b>	LD 2113	An Act to Provide Relief to Federal or State Employees Affected by a Federal Government or State Government Shutdown	CARRIED OVER

***Consumer Credit***

<b>Enacted</b>	LD 2115	An Act to Prohibit Unfair Practices Related to the Collection of Medical Debt	PUBLIC 663
<b>Not Enacted</b>	LD 2174	An Act to Protect Consumers from Predatory Medical Credit Card Providers	Died Between Houses

***Health Information and Data***

<b>Enacted</b>	LD 1740	An Act to Protect a Patient's Access to Affordable Health Care with Timely Access to Health Care Prices	PUBLIC 584
	LD 2165	Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization	RESOLVE 138
	LD 2271	An Act to Implement the Recommendations of the Task Force to Evaluate the Impact of Facility Fees on Patients to Improve Facility Fee Transparency and Notification	PUBLIC 672

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	LD 796	An Act Concerning Prior Authorizations for Health Care Provider Services	PUBLIC 680
	LD 1407	An Act to Amend the Maine Insurance Code Regarding Payments by Health Insurance Carriers to Providers	PUBLIC 574

	LD 1498	An Act to Create a Liaison Program and Complaint Process Within the Bureau of Insurance for Independent Health Care Providers	PUBLIC 590
	LD 1533	An Act to Provide for Consistent Billing Practices by Health Care Providers	PUBLIC 521
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<b>Not Enacted</b>	LD 132	An Act to Require Health Insurance Carriers to Provide Coverage for Blood Testing for Perfluoroalkyl and Polyfluoroalkyl Substances	CARRIED OVER
	LD 444	An Act to Require Health Insurance Coverage for Specialized Risk Screening for First Responders and Other Public Safety Professionals	HELD BY GOVERNOR
	LD 663	An Act to Require Health Insurance Coverage for Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections and Pediatric Acute-onset Neuropsychiatric Syndrome	Majority (ONTP) Report
	LD 1165	An Act to Enhance Cost Savings to Consumers of Prescription Drugs	Majority (ONTP) Report
	LD 1304	Resolve, to Establish the Task Force to Study Barriers to Achieving Behavioral Health Integration and Parity	CARRIED OVER
	LD 1577	An Act to Require Health Insurance Coverage for Biomarker Testing	HELD BY GOVERNOR
	LD 2203	An Act to Require Health Insurance Coverage for Federally Approved Nonprescription Oral Hormonal Contraceptives and Nonprescription Emergency Contraceptives	HELD BY GOVERNOR

### **Insurance, Motor Vehicle**

<b>Not Enacted</b>	LD 2073	An Act to Amend the Application of the Law Requiring Motor Vehicle Liability Insurance Policies to Cover Towing and Storage Charges for Certain Vehicles	Majority (ONTP) Report
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### **Insurance, Regulation and Practices**

<b>Enacted</b>	LD 1498	An Act to Create a Liaison Program and Complaint Process Within the Bureau of Insurance for Independent Health Care Providers	PUBLIC 590
<b>Not Enacted</b>	LD 2074	An Act to Prohibit Property and Casualty Insurance Companies from Denying Policyholders in the State Insurance on Their Residences in the State Because of a Loss Sustained to a Home in Another State	ONTP

LD 2220 An Act to Prohibit Insurers from Using Credit Information as a Factor in Certain Insurance Practices Died Between Houses

### **Insurance, Workers' Compensation**

**Enacted** LD 2233 Resolve, Regarding Legislative Review of Chapter 255: Workers' Compensation Fronting Companies, a Late-filed Major Substantive Rule of the Department of Professional and Financial Regulation, Bureau of Insurance RESOLVE 178

**Not Enacted** LD 444 An Act to Require Health Insurance Coverage for Specialized Risk Screening for First Responders and Other Public Safety Professionals HELD BY GOVERNOR

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**Enacted** LD 1832 An Act to Continue the Study of Community Paramedicine and to Make Changes Related to Health Insurance Coverage and Prior Authorization Requirements for Certain Ambulance Service Providers PUBLIC 591

LD 2112 An Act to Replace the Money Transmitters Act PUBLIC 662

LD 2282 An Act to Provide Greater Transparency About the Cost of Insulin and to Promote the Availability of Low-cost Insulin in the State PUBLIC 610

**Not Enacted** LD 2110 An Act to Amend the Laws Governing Licensing of Payroll Processors Majority (ONTP) Report

### **Occupational and Professional Regulation, Health Professions**

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LD 1956 An Act to Amend the Laws Governing Optometrists PUBLIC 580

LD 2040 An Act to Restore the Board of Dental Practice's Authority to Issue Letters of Guidance PUBLIC 515

LD 2043 An Act to Add the State of Maine to the Compact for Licensing Physician Assistants PUBLIC 670

LD 2057 An Act to Require the State Board of Examiners of Psychologists and the Board of Examiners in Physical Therapy to Obtain Fingerprint-based Federal Bureau of Investigation Criminal Background Checks for Applicants for Licensure PUBLIC 506

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Enacted**

LD 2126	An Act Relating to Delegation of Nursing Activities and Tasks to Unlicensed Assistive Personnel by Registered Professional Nurses	PUBLIC 592
LD 2137	An Act to Join the Dentist and Dental Hygienist Compact	PUBLIC 664
LD 2140	An Act to Enact the Interstate Social Work Licensure Compact	PUBLIC 674
LD 2156	An Act to Authorize the Provision of Emergency Medical Treatment for Certain Dogs	PUBLIC 587
LD 1205	An Act Regarding the Scope of Practice of Certified Professional Midwives and Certified Midwives	ONTP
LD 1304	Resolve, to Establish the Task Force to Study Barriers to Achieving Behavioral Health Integration and Parity	CARRIED OVER
LD 1494	An Act to Help Address the Worker Shortage in Behavioral Health Care Services by Allowing Provisional Licensure and Providing for Reimbursement for Out-of-state Licensees	ONTP
LD 1506	Resolve, Directing the Department of Health and Human Services to Study the Scarcity of Licensed Clinical Behavioral Health Professionals Across the State	CARRIED OVER
LD 1990	Resolve, to Establish the Commission to Evaluate the Requirements for Licensing of Social Workers	HELD BY GOVERNOR
LD 2075	An Act to Protect Health Care Workers from HIV	Majority (ONTP) Report
LD 2122	An Act to Create Parity in the Licensing of Emergency Medical Services Professionals and Other Health Care Professionals Who Enter Private Residences	ONTP
LD 2123	An Act Regarding Licensure of Emergency Medical Services Persons	ONTP
LD 2267	An Act to Implement the Recommendations of the Commission Regarding Foreign-trained Physicians Living in Maine to Support International Medical Graduates in Securing Employment	ONTP
LD 2268	An Act to Implement the Recommendations of the Commission Regarding Foreign-trained Physicians Living in Maine to Establish a Sponsorship Program for Foreign-trained Physicians	CARRIED OVER

### *Prescription Drugs*

<b>Enacted</b>	LD 2114	Resolve, Directing the Superintendent of Insurance to Collect Data from Health Insurers Related to Prescription Drug Coverage of Generic Drugs and Biosimilars	RESOLVE 177
<b>Not Enacted</b>	LD 1793	Resolve, Directing the Department of Health and Human Services to Contract for Discounted Insulin Manufactured and Distributed by Civica Rx	ONTP
	LD 1829	An Act to Direct the Maine Prescription Drug Affordability Board to Assess Strategies to Reduce Prescription Drug Costs and to Take Steps to Implement Reference-based Pricing	CARRIED OVER
	LD 2175	An Act to Improve Access to Affordable Prescription Drugs in Underserved Areas	CARRIED OVER

### *Securities*

<b>Enacted</b>	LD 2020	An Act to Make Technical Updates to the Maine Uniform Securities Act	PUBLIC 503
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DIGEST OF BILLS  
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**Joint Standing Committee on Health Coverage, Insurance and Financial Services**

Comm	LD	Title	Committee Action	Date of last Comm Action	Disposition upon R2 Adjournment	Law Ch		Analyst Note?
HCIFS	132	An Act to Require Health Insurance Carriers to Provide Coverage for Blood Testing for Perfluoroalkyl and Polyfluoroalkyl Substances	OTP-AM/ONTP	4/3/2024				
HCIFS	227	An Act Regarding Legally Protected Health Care Activity in the State	OTP-AM/ONTP	4/10/2024	Enacted	PL	648	
HCIFS	444	An Act to Require Health Insurance Coverage for Specialized Risk Screening for First Responders and Other Public Safety Professionals	OTP-AM/REF TO LBHS/ONTP	4/1/2024	Held by Governor			v
HCIFS	663	An Act to Require Health Insurance Coverage for Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections and Pediatric Acute-onset Neuropsychiatric Syndrome	ONTP/OTP-AM	4/2/2024	Accepted Majority (ONTP) Report			
HCIFS	796	An Act Concerning Prior Authorizations for Health Care Provider Services	OTP-AM/OTP-AM/ONTP	4/10/2024	Enacted	PL	680	
HCIFS	1165	An Act to Enhance Cost Savings to Consumers of Prescription Drugs	ONTP/OTP-AM	2/27/2024	Accepted Majority (ONTP) Report			
HCIFS	1205	An Act Regarding the Scope of Practice of Certified Professional Midwives and Certified Midwives	ONTP	2/1/2024	Ought Not to Pass Pursuant to Joint Rule 310			
HCIFS	1304	Resolve, to Establish the Task Force to Study Barriers to Achieving Behavioral Health Integration and Parity	OTP-AM	5/23/2023				
HCIFS	1407	An Act to Amend the Maine Insurance Code Regarding Payments by Health Insurance Carriers to Providers	OTP-AM	2/29/2024	Enacted	PL	574	
HCIFS	1494	An Act to Help Address the Worker Shortage in Behavioral Health Care Services by Allowing Provisional Licensure and Providing for Reimbursement for Out-of-state Licensees	ONTP	1/23/2024	Ought Not to Pass Pursuant to Joint Rule 310			

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Comm	LD	Title	Committee Action	Date of last Comm Action	Disposition upon R2 Adjournment	Law	Ch	Analyst Note?
HCIFS	1498	An Act to Create a Liaison Program and Complaint Process Within the Bureau of Insurance for Independent Health Care Providers	OTP-AM/ONTP	3/14/2024	Enacted	PL	590	
HCIFS	1506	Resolve, Directing the Department of Health and Human Services to Study the Scarcity of Licensed Clinical Behavioral Health Professionals Across the State	OTP-AM/ONTP	5/23/2023				
HCIFS	1533	An Act to Provide for Consistent Billing Practices by Health Care Providers	OTP-AM	2/15/2024	Enacted	PL	521	
HCIFS	1577	An Act to Require Health Insurance Coverage for Biomarker Testing	OTP-AM/ONTP	4/2/2024	Held by Governor			
HCIFS	1740	An Act to Protect a Patient's Access to Affordable Health Care with Timely Access to Health Care Prices	ONTP/OTP-AM	3/12/2024	Enacted	PL	584	
HCIFS	1793	Resolve, Directing the Department of Health and Human Services to Contract for Discounted Insulin Manufactured and Distributed by Civica Rx	ONTP	3/25/2024	Ought Not to Pass Pursuant to Joint Rule 310			
HCIFS	1829	An Act to Direct the Maine Prescription Drug Affordability Board to Assess Strategies to Reduce Prescription Drug Costs and to Take Steps to Implement Reference-based Pricing	OTP-AM/ONTP	3/26/2024				
HCIFS	1832	An Act to Continue the Study of Community Paramedicine and to Make Changes Related to Health Insurance Coverage and Prior Authorization Requirements for Certain Ambulance Service Providers	OTP-AM	3/15/2024	Enacted	PL	591	
HCIFS	1921	An Act to Amend the Laws Regarding State-chartered Credit Unions	OTP-AM	2/23/2024	Enacted	PL	539	
HCIFS	1956	An Act to Amend the Laws Governing Optometrists	OTP-AM	3/1/2024	Enacted	PL	580	
HCIFS	1990	Resolve, to Establish the Commission to Evaluate the Requirements for Licensing of Social Workers	OTP-AM/ONTP	3/14/2024	Held by Governor			
HCIFS	2020	An Act to Make Technical Updates to the Maine Uniform Securities Act	OTP	1/31/2024	Enacted	PL	503	
HCIFS	2040	An Act to Restore the Board of Dental Practice's Authority to Issue Letters of Guidance	OTP-AM	2/7/2024	Emergency Enacted	PL	515	

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Comm	LD	Title	Committee Action	Date of last Comm Action	Disposition upon R2 Adjournment	Law	Ch	Analyst Note?
HCIFS	2043	An Act to Add the State of Maine to the Compact for Licensing Physician Assistants	OTP-AM	4/1/2024	Enacted	PL	670	
HCIFS	2057	An Act to Require the State Board of Examiners of Psychologists and the Board of Examiners in Physical Therapy to Obtain Fingerprint-based Federal Bureau of Investigation Criminal Background Checks for Applicants for Licensure	OTP-AM	2/13/2024	Enacted	PL	506	
HCIFS	2073	An Act to Amend the Application of the Law Requiring Motor Vehicle Liability Insurance Policies to Cover Towing and Storage Charges for Certain Vehicles	ONTP/OTP	2/22/2024	Accepted Majority (ONTP) Report			
HCIFS	2074	An Act to Prohibit Property and Casualty Insurance Companies from Denying Policyholders in the State Insurance on Their Residences in the State Because of a Loss Sustained to a Home in Another State	ONTP	2/21/2024	Ought Not to Pass Pursuant to Joint Rule 310			
HCIFS	2075	An Act to Protect Health Care Workers from HIV	ONTP/OTP-AM	3/1/2024	Accepted Majority (ONTP) Report			
HCIFS	2096	An Act to Ensure Access to Pain Management Services in Health Insurance Plans	OTP-AM	4/11/2024	Enacted	PL	661	
HCIFS	2110	An Act to Amend the Laws Governing Licensing of Payroll Processors	ONTP/OTP-AM	4/2/2024	Accepted Majority (ONTP) Report			
HCIFS	2112	An Act to Replace the Money Transmitters Act	OTP-AM/ONTP	3/19/2024	Enacted	PL	662	
HCIFS	2113	An Act to Provide Relief to Federal or State Employees Affected by a Federal Government or State Government Shutdown	OTP-AM/ONTP	4/2/2024				
HCIFS	2114	Resolve, Directing the Superintendent of Insurance to Collect Data from Health Insurers Related to Prescription Drug Coverage of Generic Drugs and Biosimilars	OTP-AM	4/2/2024	Finally Passed	RESLV	177	
HCIFS	2115	An Act to Prohibit Unfair Practices Related to the Collection of Medical Debt	OTP-AM/OTP-AM	4/8/2024	Enacted	PL	663	

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Comm	LD	Title	Committee Action	Date of last Comm Action	Disposition upon R2 Adjournment	Law Ch		Analyst Note?
						Law	Ch	
HCIFS	2122	An Act to Create Parity in the Licensing of Emergency Medical Services Professionals and Other Health Care Professionals Who Enter Private Residences	ONTP	2/13/2024	Ought Not to Pass Pursuant to Joint Rule 310			
HCIFS	2123	An Act Regarding Licensure of Emergency Medical Services Persons	ONTP	2/21/2024	Ought Not to Pass Pursuant to Joint Rule 310			
HCIFS	2126	An Act Relating to Delegation of Nursing Activities and Tasks to Unlicensed Assistive Personnel by Registered Professional Nurses	OTP-AM	3/15/2024	Enacted	PL	592	
HCIFS	2137	An Act to Join the Dentist and Dental Hygienist Compact	OTP-AM	4/10/2024	Enacted	PL	664	
HCIFS	2140	An Act to Enact the Interstate Social Work Licensure Compact	OTP-AM/ONTP	4/10/2024	Enacted	PL	674	
HCIFS	2156	An Act to Authorize the Provision of Emergency Medical Treatment for Certain Dogs	OTP-AM	3/12/2024	Enacted	PL	587	
HCIFS	2165	Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization	OTP	2/20/2024	Emergency Finally Passed	RESLV	138	
HCIFS	2174	An Act to Protect Consumers from Predatory Medical Credit Card Providers	ONTP/OTP-AM	4/9/2024	Died Between Houses			
HCIFS	2175	An Act to Improve Access to Affordable Prescription Drugs in Underserved Areas	OTP-AM	4/11/2024				v
HCIFS	2203	An Act to Require Health Insurance Coverage for Federally Approved Nonprescription Oral Hormonal Contraceptives and Nonprescription Emergency Contraceptives	OTP-AM/ONTP	4/10/2024	Held by Governor			
HCIFS	2220	An Act to Prohibit Insurers from Using Credit Information as a Factor in Certain Insurance Practices	OTP-AM/ONTP	4/2/2024	Died Between Houses			

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Comm	LD	Title	Committee Action	Date of last Comm Action	Disposition upon R2 Adjournment	Law	Ch	Analyst Note?
HCIFS	2233	Resolve, Regarding Legislative Review of Chapter 255: Workers' Compensation Fronting Companies, a Late-filed Major Substantive Rule of the Department of Professional and Financial Regulation, Bureau of Insurance	OTP-AM	4/1/2024	Emergency Finally Passed	RESLV	178	
HCIFS	2267	An Act to Implement the Recommendations of the Commission Regarding Foreign-trained Physicians Living in Maine to Support International Medical Graduates in Securing Employment	ONTP	3/28/2024	Ought Not to Pass Pursuant to Joint Rule 310			
HCIFS	2268	An Act to Implement the Recommendations of the Commission Regarding Foreign-trained Physicians Living in Maine to Establish a Sponsorship Program for Foreign-trained Physicians	OTP-AM	4/5/2024				
HCIFS	2271	An Act to Implement the Recommendations of the Task Force to Evaluate the Impact of Facility Fees on Patients to Improve Facility Fee Transparency and Notification	ONTP/OTP-AM	4/3/2024	Enacted	PL	672	
HCIFS	2282	An Act to Provide Greater Transparency About the Cost of Insulin and to Promote the Availability of Low-cost Insulin in the State	OTP/ONTP	3/27/2024	Enacted	PL	610	



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**LD 227 An Act Regarding Legally Protected Health Care Activity in the State**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 648 provides protections to persons who seek, health care practitioners who provide and those who assist health care practitioners in providing gender-affirming health care services and reproductive health care services in accordance with the applicable standard of care.

Part A of the law does the following.

1. It states the Legislature’s finding that access to gender-affirming health care services and reproductive health care services, when those services are authorized under the laws of this State, is a legal right and that interference with access to such services or the provision of such services is against the public policy of this State.
2. It defines “legally protected health care activity” as the exercise or attempted exercise of the right to gender-affirming health care services or reproductive health care services secured in this State as well as the provision or attempted provision of gender-affirming health care services or reproductive health care services authorized under the laws of this State by a health care practitioner licensed and physically present in this State, regardless of whether the patient is located in this State or the health care practitioner is licensed in the state where the patient is located. “Legally protected health care activity” does not include conduct that could form the basis of civil, criminal or administrative liability under the laws of this State had the course of conduct occurred entirely within this State.
3. It authorizes a health care practitioner or person assisting a health care practitioner against whom a civil, criminal or administrative action in another state is brought to deter, prevent, sanction or punish that health care practitioner for engaging in legally protected health care activity or that person for aiding and assisting legally protected health care activity, referred to in the law as “hostile litigation,” to bring a civil action in this State for damages, punitive damages and equitable relief. A court in this State may include in a damage award the amount of any judgment issued in connection with the hostile litigation as well as the person’s reasonable attorney’s fees and expenses incurred in connection with that action.
4. It requires a person seeking to enforce in this State a judgment from another state, referred to in the law as a “foreign judgment,” in connection with hostile litigation to bring an action on the judgment within five years. A court in this State may not enforce a foreign judgment in connection with hostile litigation if the court that issued the judgment lacked jurisdiction or failed to provide due process of law.
5. It provides that, unless required by federal law, a court of this State may not order a person in this State to give testimony or produce documents or other information in any proceeding involving hostile litigation. In addition, unless required by federal law, a court in this State may not issue a summons or warrant in a case involving a grand jury investigation of or prosecution under the criminal laws of another state for engaging in or for aiding and assisting

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legally protected health care activity unless the conduct at issue would constitute a criminal offense if it had occurred entirely within this State.

6. It prohibits public agencies, including law enforcement agencies, from knowingly cooperating with or expending public resources in furtherance of an investigation or proceeding against a person for engaging in or aiding and assisting legally protected health care activity. It also prohibits the arrest of a person in this State if the arrest is related to criminal liability for engaging in or aiding and assisting legally protected health care activity. The law does not prohibit a public agency, including a law enforcement agency, from cooperating or assisting an investigation or proceeding or from responding to a warrant or extradition demand on the good faith belief that the warrant or demand is valid in this State or when exigent circumstances make compliance with the law impossible.
7. It provides that the laws of this State apply to any case or controversy heard in this State involving legally protected health care activity or aiding and assisting legally protected health care activity.

Part B of the law amends the Uniform Interstate Depositions and Discovery Act, through which a person may request that a court in this State issue a subpoena to effectuate a subpoena issued under the authority of a court in another state, referred to as a "foreign subpoena." Under the law, a person submitting a foreign subpoena to a clerk of court must also submit an affidavit attesting whether the foreign subpoena seeks documents, information, inspection or testimony related to the provision or receipt of legally protected health care activity or aiding and assisting legally protected health care activity. If the affidavit reveals that the foreign subpoena is related to legally protected health care activity or aiding and assisting legally protected health care activity, the clerk may not issue the subpoena and must present the request to the court. The court must deny the request unless it finds that the foreign subpoena seeks documents, information, inspection or testimony related to specified types of civil actions either brought by a person or brought under a contract for which a similar cause of action exists under the laws of this State.

Part C of the law amends the Uniform Criminal Extradition Act to prohibit the Governor from surrendering a person charged in another state for engaging in or aiding and assisting legally protected health care activity unless the executive authority in the other state alleges that the accused was physically present in the other state when the alleged offense was committed and thereafter fled the other state. In addition, Part C prohibits a court in this State from issuing a search warrant authorizing a government entity to obtain portable electronic device content information that relates to an investigation into legally protected health care activity or aiding and assisting legally protected health care activity.

Part D of the law provides that a health care practitioner that provides services related to legally protected health care activity may participate in the Address Confidentiality Program administered by the Secretary of State.

Current law prohibits an insurer that provides medical malpractice insurance in this State from discriminating or taking any adverse action against a health care professional who provides reproductive health care services on the sole basis that the health care professional is acting in



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violation of another state's law or is subject to an adverse action against the health care professional's license in another state. Part E of the law extends analogous protections to health care practitioners who engage in or aid and assist legally protected health care activity

Part E of the law also does the following.

1. It prohibits a professional licensing authority in this State from subjecting a health care practitioner to professional discipline based solely on the health care practitioner's engaging in or aiding and assisting legally protected health care activity or a pending or final criminal, civil or professional discipline action in another state based on engaging in or aiding and assisting legally protected health care activity.
2. It prohibits a health care provider or health care entity from restricting or denying the clinical privileges of or taking formal disciplinary action against a health care practitioner solely as a result of the health care practitioner's engaging in or aiding and assisting legally protected health care activity or the initiation or final disposition of a professional discipline action by a professional licensing authority in another state based on the health care practitioner's engaging in or aiding and assisting legally protected health care activity.
3. It prohibits a carrier offering or renewing a health care plan in this State from terminating or not renewing a contract with or imposing any monetary penalties against a participating provider on the sole basis that the participating provider engages in or aids and assists legally protected health care activity.

Part F of the law prohibits a health care practitioner or facility from disclosing in a civil or administrative action or proceeding or in response to a subpoena issued in such a proceeding information obtained through an examination of an individual relating to reproductive health care services or gender-affirming health care services and from disclosing a communication from an individual or a person acting on the individual's behalf about reproductive health care services or gender-affirming health care services unless the disclosure is authorized in writing by the individual; the disclosure is requested in connection with a medical malpractice claim brought by the individual against the health care practitioner or facility; the disclosure is requested by a professional licensing board in this State in connection with a complaint that is not based solely on an allegation that a licensee provided reproductive health care services or gender-affirming health care services that are lawful in this State and within the licensee's scope of practice; or the disclosure is requested in connection with an investigation of abuse, neglect or exploitation of a child or an incapacitated or dependent adult by a federal or Maine agency responsible for investigating such abuse, neglect or exploitation.

Part G of the law makes clear that the provisions of the law may not be construed to conflict with or amend the Uniform Child Custody Jurisdiction and Enforcement Act.

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**LD 796 An Act Concerning Prior Authorizations for Health Care Provider Services**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 680 makes changes to the laws related to prior authorizations for health care provider services in health insurance plans.

In Part A, Public Law 2023, chapter 680 permits a health care provider that is actively treating an enrollee to act as an authorized representative of an enrollee for purposes of grievances and appeals of health insurance carrier decisions without requiring prior written authorization from the enrollee. The law does require that a provider actively treating an enrollee must notify an enrollee at least 14 days prior to filing a grievance or appeal and within seven days after filing a grievance or appeal or withdrawing a grievance or appeal and also permits an enrollee to affirmatively object to the provider's action.

The law requires carriers to allow prior authorization approvals to be effective for a two-week period before and after a specific date. It also prohibits carriers from denying claims for nonemergency services that were within the scope of the enrollee's coverage pending medical necessity review and prohibits carriers from imposing a penalty of more than 15% of the contractually allowed amount for the services that required prior authorization approval on the provider for failing to obtain a prior authorization.

The law prohibits carriers from making determinations of medical necessity based on whether those services are provided by participating or nonparticipating providers. The law also provides that, if a patient needs immediate post-evaluation or post-stabilization services, a carrier is prohibited from requiring prior authorization for those services provided during the same encounter. If post-evaluation or post-stabilization services necessitate inpatient care, a carrier is permitted to impose prior authorization for those services but carriers are required to respond to the prior authorization request within 24 hours. If the provider does not receive a determination from the carrier within 24 hours, the care is deemed approved until the carrier affirmatively notifies the provider otherwise.

The requirements of Part A apply to all policies, contracts or certificates executed, delivered, issued for delivery, continued or renewed on or after January 1, 2025.

Part B of Public Law 2023, chapter 680 requires health insurance carriers to report certain information related to prior authorization determinations and also requires the Department of Professional and Financial Regulation, Bureau of Insurance to annually report aggregate data for carriers, including posting information on the bureau's publicly accessible website.

Part B also requires the Superintendent of Insurance to collect data related to prior authorization determinations for calendar years 2021, 2022 and 2023 from health insurance carriers. It requires the superintendent to report this information to the joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters no later than January 15, 2025 and authorizes the committee to report out legislation based on the report to the 132nd Legislature in 2025.

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**LD 1407 An Act to Amend the Maine Insurance Code Regarding Payments by Health Insurance Carriers to Providers**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 574 makes the following changes to the Maine Insurance Code in the Maine Revised Statutes, Title 24-A.

1. It provides that a health insurance carrier may file notice of a proposed amendment to a calendar year provider agreement only four times per year on January 1st, April 1st, July 1st and October 1st, except for changes in response to a requirement of the State or Federal Government or due to a change in current procedural terminology codes used by the American Medical Association.
2. It requires a health insurance carrier in certain cases to include an estimate of any adverse financial impact on a participating provider as part of a notice of an amendment to a provider agreement if the change is to a reimbursement policy.
3. It requires a health insurance carrier to provide to the participating provider both a clean and a marked-up copy of the provider agreement, manual, policy or procedure document being changed.
4. It restricts the authority of a health insurance carrier in certain cases to retroactively deny a previously paid claim to no later than 36 months from the date of the claims payment.

**LD 1498 An Act to Create a Liaison Program and Complaint Process Within the Bureau of Insurance for Independent Health Care Providers**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 590 requires the Department of Professional and Financial Regulation, Bureau of Insurance to establish a liaison program to assist independent health care providers and to establish a process to receive and investigate provider complaints. The law limits the scope of certain services to be provided by the bureau to an independent health care practitioner or group of independent health care practitioners with six or fewer health care practitioners and does not include a health care practitioner or group of health care practitioners that is owned or operated, in whole or in part, by a hospital or health system.

Under the liaison program, the law requires the bureau to assist independent health care providers in obtaining information about health insurance laws and rules and to receive concerns regarding regulatory or compliance issues that may have a market-wide impact.

The law also requires the bureau to establish a process to receive and investigate complaints from independent health care providers regarding an alleged violation of any insurance law or rule and also authorizes the bureau to receive and investigate complaints from other providers. The law

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makes clear that the bureau is not authorized to act as a legal representative of a provider or to provide assistance with contract negotiations or interpretations of the terms of contracts between providers and carriers in any manner through the liaison program or complaint process.

**LD 1533 An Act to Provide for Consistent Billing Practices by Health Care Providers**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 521 requires that health insurance claims for facility services that are submitted by health care providers for payment or reimbursement must identify the physical location where services are rendered.

**LD 1740 An Act to Protect a Patient's Access to Affordable Health Care with Timely Access to Health Care Prices**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 584 requires health care entities to provide a good faith estimate of the cost of medical services to be rendered directly by that health care entity during a single medical encounter upon request from an uninsured or self-pay patient. The law requires that the good faith estimate be provided within the following time frames.

1. When a medical encounter is scheduled at least three business days before the date the medical encounter is scheduled to be furnished or when a patient is seeking urgent care, the estimate must be provided no later than one business day after the date of scheduling or the date of the request.
2. When a medical encounter is scheduled at least 10 business days before the encounter is scheduled to be furnished, the estimate must be provided no later than three business days after the date of scheduling.
3. In all other circumstances, the estimate must be provided no later than three business days after the date of the request.

The law requires the health care entity to separately disclose the prices for each component of medical services, including any facility fees or fees for professional services, and the procedure codes for those services. It requires health care entities to post notice on prominent display of a patient's right to request this information and include the notice in a patient's written consent to treatment form that must be signed prior to receiving health care treatment or services.

Public Law 2023, chapter 584 requires that, upon a request from an insured patient, health care entities must provide a description of the medical services to be rendered during a single medical encounter and the applicable standard medical codes or current procedural terminology codes used by the American Medical Association for those services and notify the patient that the information

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can be used to obtain an estimate of the patient's out-of-pocket costs from the patient's health insurance carrier. It also requires health insurance carriers to respond to requests from a patient for an estimate of out-of-pocket costs based on the description of the medical services and the codes provided by the patient's health care entity.

The law prohibits a health care entity from initiating or pursuing any collection action against an uninsured or self-pay patient for items or services provided on a date the health care entity has provided those items or services to a patient unless the health care entity provided a good faith estimate to a patient that requested an estimate. The prohibition on collection actions does not extend to insured patients.

Public Law 2023, chapter 584 also requires that hospitals comply with the price transparency requirements established in 45 Code of Federal Regulations, Part 180, Subparts A and B as in effect on January 1, 2024. It requires a hospital to provide price transparency data in a standardized format as established by rule by the Maine Health Data Organization and provides that a hospital that fails to comply with the price transparency requirements established by the Maine Health Data Organization may be subject to a fine for noncompliance.

**LD 1832 An Act to Continue the Study of Community Paramedicine and to Make Changes Related to Health Insurance Coverage and Prior Authorization Requirements for Certain Ambulance Service Providers**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 591 makes changes to the laws related to health insurance coverage for ambulance services.

1. It clarifies the reimbursement rate to be paid by health insurance carriers to out-of-network ambulance service providers for covered emergency services.
2. It prohibits health insurance carriers from requiring an air ambulance service provider to obtain prior authorization before transporting an enrollee to a hospital or between hospitals for urgent care.

Public Law 2023, chapter 591 also authorizes the joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters to report out, after further study, legislation to the 132nd Legislature in 2025 related to reimbursement by health insurance carriers for health care services provided by community paramedicine personnel.

**LD 1921 An Act to Amend the Laws Regarding State-chartered Credit Unions**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 539 amends the laws governing credit unions.

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1. It authorizes credit unions to engage in the business of selling, issuing or registering negotiable instruments, instead of checks or money orders, which are the terms used in current law.
2. It allows the Superintendent of Financial Institutions within the Department of Professional and Financial Regulation to reduce the number of required monthly meetings of a credit union's board of directors for good cause.
3. It adds grounds for expulsion of a credit union member and, by January 1, 2025, requires credit unions to establish a written expulsion policy and expulsion appeals process, which must be provided to credit union members annually.
4. It removes the limitation that credit unions may make loans to only other in-state credit unions.

**LD 1956 An Act to Amend the Laws Governing Optometrists**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 580 repeals the laws governing the licensing and regulation of optometrists in the Maine Revised Statutes, Title 32, chapter 34-A and enacts a new chapter updating the laws governing the licensing and regulation of optometrists in Title 32, chapter 149.

**LD 2020 An Act to Make Technical Updates to the Maine Uniform Securities Act**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 503 updates references to federal statutes in the Maine Uniform Securities Act and corrects errors to citations made when adopting the Uniform Securities Act of 2002.

**LD 2040 An Act to Restore the Board of Dental Practice's Authority to Issue Letters of Guidance**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 515 restores authority to the Board of Dental Practice to issue letters of guidance involving matters other than a dismissal of a complaint against a licensee.

Public Law 2023, chapter 515 was enacted as an emergency measure effective February 29, 2024.

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**LD 2043 An Act to Add the State of Maine to the Compact for Licensing Physician Assistants**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 670 enacts the Physician Assistants Licensure Compact, which provides a mechanism to facilitate interstate practice by licensed physician assistants in order to improve public access to the services of physician assistants.

**LD 2057 An Act to Require the State Board of Examiners of Psychologists and the Board of Examiners in Physical Therapy to Obtain Fingerprint-based Federal Bureau of Investigation Criminal Background Checks for Applicants for Licensure**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 506 requires the State Board of Examiners of Psychologists and the Board of Examiners in Physical Therapy to obtain national and state fingerprint-based criminal history record information for certain applicants for initial licensure and licensure by endorsement by each board.

**LD 2096 An Act to Ensure Access to Pain Management Services in Health Insurance Plans**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 661 requires health insurance carriers to develop a plan to provide adequate coverage and access to a broad spectrum of pain management services, including, but not limited to, nonopioid, nonnarcotic pain management services and nonmedication pain management services that serve as alternatives to the prescribing of opioid or narcotic medication. Carriers are required to file their plans with the Bureau of Insurance for approval. The bureau must consider the adequacy of access to a broad spectrum of pain management services under a carrier's plan and whether any policies adopted by the carrier may create unduly preferential coverage of and access to prescribed opioids for pain management without consideration of other pain management services. The law requires a carrier to distribute educational materials to network providers about the carrier's pain management access plan and to post information about the carrier's pain management access plan on the carrier's publicly accessible website.

The requirements of Public Law 2023, chapter 661 apply to health plans issued or renewed on or after January 1, 2026.

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**LD 2112 An Act to Replace the Money Transmitters Act**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 662 repeals the Money Transmitters Act and replaces it with a model act developed by the Conference of State Bank Supervisors and state regulators of businesses that engage in money transmission. The law uses national standardized definitions and terms and uses national standardized licensing requirements.

**LD 2114 Resolve, Directing the Superintendent of Insurance to Collect Data from Health Insurers Related to Prescription Drug Coverage of Generic Drugs and Biosimilars**

**ENACTED LAW SUMMARY**

Resolve 2023, chapter 177 directs the Superintendent of Insurance to request data from health insurance carriers related to each carrier's placement of generic drugs and biosimilars on the carrier's prescription drug formulary, including whether a generic drug or biosimilar is available on the carrier's formulary with a lower out-of-pocket cost to an enrollee than the brand drug to which the generic drug or biosimilar is equivalent and whether the carrier imposes any limitation on coverage of a generic drug or biosimilar or imposes a restriction on a pharmacy that makes it more difficult for an enrollee to obtain coverage of or access to a generic drug or biosimilar than the brand drug to which the generic drug or biosimilar is equivalent. The law requires the Superintendent of Insurance to report to the joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters on the data submitted by the carriers as requested, together with any findings or recommendations of the superintendent, no later than February 15, 2025. The joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters may report out a bill to the 132nd Legislature in 2025 based on the report.

**LD 2115 An Act to Prohibit Unfair Practices Related to the Collection of Medical Debt**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 663 makes the following changes to the laws related to the collection of medical debt.

1. It prohibits debt collectors from charging any interest on debt or fees in connection with the collection of debt that the debt collector knows is medical debt.
2. It prohibits debt collectors from pursuing litigation to compel payment of medical debt without providing proof that the consumer was sent a written notice indicating that litigation may not be pursued when the debt collector or collection agency knows the consumer's household income is not more than 300% of the federal poverty guidelines, as defined by the federal Office of Management and Budget and revised annually, and the debt collector or collection



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agency provided the consumer with at least 30 days to provide evidence that the consumer's household income is not more than 300% of the federal poverty guidelines.

3. It prohibits debt collectors from obtaining information about a consumer in relation to an attempt to collect medical debt or making false, deceptive or misleading representations when attempting to collect debt that the debt collector or collection agency knows is medical debt, including by implying that interest will accumulate on the debt principal, that a fee will be charged in connection with the debt or that the debt collector will pursue litigation to compel payment of the debt.

**LD 2126 An Act Relating to Delegation of Nursing Activities and Tasks to Unlicensed Assistive Personnel by Registered Professional Nurses**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 592 authorizes the delegation of specific nursing activities and tasks by a nurse to unlicensed assistive personnel, but preserves the authority of a nurse, in the exercise of the nurse's professional judgment, to refuse to delegate specific nursing activities and tasks in any care setting. The law specifies that the authorization to delegate may not be construed to require a nurse to delegate, or permit a person to coerce a nurse into delegating, specific nursing activities and tasks against the nurse's professional judgment. The law also defines "unlicensed assistive personnel" and requires the State Board of Nursing to adopt major substantive rules concerning delegation.

**LD 2137 An Act to Join the Dentist and Dental Hygienist Compact**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 664 enacts the Dentist and Dental Hygienist Compact to facilitate the interstate practice of dentistry and dental hygiene by improving public access to dentistry and dental hygiene services provided by dentists and dental hygienists practicing in participating states in which they are not licensed. The compact preserves the regulatory authority of a state to protect public health and safety through that state's current system of state licensure and promote mobility and address workforce shortages by eliminating the necessity for licenses in multiple states by providing for the mutual recognition of other member state licenses.

**LD 2140 An Act to Enact the Interstate Social Work Licensure Compact**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 674 enacts the Social Work Licensure Compact to facilitate the interstate practice of regulated social workers by improving public access to competent social work services. The compact preserves the regulatory authority of a state to protect public health and safety

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through that state's current system of state licensure and promote mobility and address workforce shortages by eliminating the necessity for licenses in multiple states by providing for the mutual recognition of other member state licenses.

**LD 2156 An Act to Authorize the Provision of Emergency Medical Treatment for Certain Dogs**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 587 authorizes licensed emergency medical services personnel to provide emergency medical treatment to law enforcement dogs and search and rescue dogs in accordance with protocols adopted by the Medical Direction and Practices Board and specifies that licensed emergency medical services personnel may provide emergency medical treatment to these dogs notwithstanding the Maine Veterinary Practice Act as long as emergency medical treatment is provided in accordance with the protocols. The law also requires the Medical Direction and Practices Board to consult with an individual with expertise in emergency veterinary medicine, designated by the State Board of Veterinary Medicine, when adopting or amending protocols for providing emergency medical treatment to law enforcement dogs or search and rescue dogs.

**LD 2165 Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization**

**ENACTED LAW SUMMARY**

Resolve 2023, chapter 138 authorizes final adoption of portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a major substantive rule of the Maine Health Data Organization.

Resolve 2023, chapter 138 was finally passed as an emergency measure effective March 12, 2024.

**LD 2233 Resolve, Regarding Legislative Review of Chapter 255: Workers' Compensation Fronting Companies, a Late-filed Major Substantive Rule of the Department of Professional and Financial Regulation, Bureau of Insurance**

**ENACTED LAW SUMMARY**

Resolve 2023, chapter 178 does not authorize final adoption of Chapter 255: Workers' Compensation Fronting Companies, a major substantive rule of the Department of Professional and Financial Regulation, Bureau of Insurance.

Resolve 2023, chapter 178 was finally passed as an emergency measure effective April 23, 2024.

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**LD 2271 An Act to Implement the Recommendations of the Task Force to Evaluate the Impact of Facility Fees on Patients to Improve Facility Fee Transparency and Notification**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 672 requires a health care entity to post notice in a location readily accessible to patients, including patient waiting areas, and on the entity's publicly accessible website if the health care entity is a hospital-based facility that is part of a hospital or health system and whether a facility fee will be charged for receiving services. The law also requires the Maine Health Data Organization to post information on its publicly accessible website relating to facility fees to educate the public about what facility fees are and the circumstances when facility fees may or may not be charged in association with the delivery of health care services.

**LD 2282 An Act to Provide Greater Transparency About the Cost of Insulin and to Promote the Availability of Low-cost Insulin in the State**

**ENACTED LAW SUMMARY**

Public Law 2023, chapter 610 requires a manufacturer of insulin to notify the Maine Health Data Organization no later than February 15th of each year of the wholesale acquisition cost for the insulin produced by the manufacturer in each category of insulin. The law also provides that a manufacturer of insulin that is a nonprofit organization is not required to pay an annual insulin product registration fee.



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***ANALYST NOTES***

*This section includes additional information relating to certain LDs as noted in a committee digest. This is 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.*

**LD 444 An Act to Require Health Insurance Coverage for Specialized Risk Screening for First Responders and Other Public Safety Professionals**

Although this bill was not enacted, a provision to establish a two-year public safety health and wellness grant pilot program within the Department of Public Safety to provide grants to government entities for specialized cardiac and metabolic screenings that specifically address the physical health effects experienced by first responders was incorporated into Public Law 2023, chapter 643, the supplemental budget bill enacted in the Second Regular Session. See Appropriations and Financial Affairs, Enacted Law Summary, LD 2214, Part T.

**LD 2175 An Act to Improve Access to Affordable Prescription Drugs in Underserved Areas**

Although this bill was not enacted, the substantive provisions of the bill, as amended, directing the Department of Health and Human Services to provide financial support to federally qualified health centers to develop or expand the centers' capacity to provide access to affordably priced prescription drugs to patients by increasing the centers' ability to deliver pharmacy services to those patients were incorporated into Public Law 2023, chapter 643, the supplemental budget bill enacted in the Second Regular Session. See Appropriations and Financial Affairs, Enacted Law Summary, LD 2214, Part QQ.

