

First Regular Session--130th Maine Legislature

Maine Hospital Association Legislative Report

Dead Bills

7/23/2021

LD 1717 *Rep. Dillingham*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080947>

Final Status: DEAD

Committee Status: ONTP

An Act To Ensure Home Care and Hospice Providers Are Included in Maine's Emergency Response Plans

This bill requires the Governor, in the event of a declared public health emergency, to consult with health care practitioners and operators of health care facilities regarding measures to be taken to ensure the health and safety of the public and the health care workers.

Education & Cultural Affairs

LD 96 *Rep. Faulkingham*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078060>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Create Fairness in the Treatment of Students by Retaining Students with Certain Vaccine Exemptions

Current law allows a student covered by an individualized education plan who elected a philosophical or religious exemption from immunization on or before September 1, 2021 to continue to attend school after September 1, 2021 without being immunized as long as certain statements regarding acknowledgement of the risks and benefits associated with the choice to immunize are provided. This bill extends that exemption to any student who elected a philosophical or religious exemption from immunization on or before September 1, 2021.

LD 833 *Rep. Kinney*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079298>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Amend the Laws Governing Vaccines by Reinstating Religious Exemptions

This bill reinstates the religious exemption that was removed two years ago.

Health & Human Services

LD 62 *Rep. Brooks*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078044>

Final Status: DEAD

Committee Status: ONTP

An Act To Promote Cost-effectiveness in the MaineCare Program and Improve the Oral Health of Maine Adults and Children

This bill adds comprehensive preventive, diagnostic and restorative dental services to the limited dental services currently available to MaineCare members 21 years of age and over.



Health & Human Services

LD 196 *Sen. Breen* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078258>

Final Status: DEAD

Committee Status: ONTP

Resolve, To Ensure Access to Community Mental Health Services

This resolve directs DHHS to amend Sections 17 and 65 of the Medicaid rules to increase reimbursement rates for daily living support services and any home and community-based services provided by behavioral health professionals by 15%.

LD 283 *Rep. Madigan* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078401>

Final Status: DEAD

Committee Status: ONTP

Resolve, To Address Inequities for Certain Direct Care Workers

This resolve directs DHHS to increase its Sections 17 and 65 reimbursement rates for daily living support services and any home and community-based services provided to children and adults by behavioral health professionals by 20%. It requires that the increase in reimbursement rates must be applied to wages and benefits for employees who provide direct care services and not to administrators or managers.

LD 297 *Rep. McCreight* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078460>

Final Status: DEAD

Committee Status: WITHDRAWN

An Act To Define the Term "Behavioral Health"

This bill defines "behavioral health" in Title 34-B as including but not being limited to a wide range of mental health disorders and illnesses, substance misuse, substance use disorder and developmental disabilities, including autism spectrum disorder.

LD 423 *Sen. Baldacci* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078668>

Final Status: DEAD

Committee Status: ONTP

An Act To Improve Access to Bariatric Care in Nursing Homes

This bill requires the Department of Health and Human Services to provide bariatric care centers embedded in nursing facilities to provide requisite care within the nursing facility setting.

LD 499 *Rep. Craven* <http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078816>

Final Status: DEAD

Committee Status: ONTP

An Act To Eliminate the Waiting Lists for Older and Disabled Residents Who Are Eligible To Receive Home-based Care

This bill provides \$13.5 million to eliminate the waiting lists for services provided by DHHS Section 63, under In-Home and Community Support Services for Elderly and Other Adults and for services provided under Chapter 11, Consumer Directed Personal Assistance Services.

LD 592 *Rep. Gramlich* <http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078983>

Final Status: DEAD

Committee Status: ONTP

An Act To Ensure Access to Outpatient Mental Health Services by Increasing Reimbursement for Outpatient Therapists

This bill requires DHHS to increase the MaineCare reimbursement rates for Section 65, Behavioral Health Services, Outpatient Therapy-Individual/Family and Outpatient Therapy-Group, by 25% no later than July 1, 2021.



Health & Human Services

LD 652 *Rep. Sachs*

<http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079113>

Final Status: DEAD

Committee Status: ONTP

An Act To Include an Emergency Reimbursement Rate Review Process in Rate Setting by the Department of Health and Human Service

This bill requires DHHS to establish a process for emergency reimbursement rate review to be used at times of extraordinary circumstances. This process must be established as part of the current rate review process undertaken by the department.

LD 739 *Rep. O'Connor*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079231>

Final Status: DEAD

Committee Status: ONTP

An Act Regarding Credible Allegations of Fraud by MaineCare Providers

This bill allows DHHS, after a final determination that an allegation of fraud concerning a MaineCare provider has been established, rather than that fraud has occurred, to retain and apply as an offset to amounts determined to be owed to the department any payments to the provider that were suspended by the department. This bill also decreases from 31 days to 21 days after exhaustion of all administrative appeals when the department may take that action and removes reference to judicial review.

LD 873 *Sen. Baldacci*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079278>

Final Status: DEAD

Committee Status: ONTP

Resolve, To Waive Reductions to Nursing Facility Reimbursement Resulting from Payroll Protection Program Loans and Grants

This resolve requires the Department of Health and Human Services to waive any reduction or adjustment to allowable MaineCare costs on filed or audited cost reports that would result from a loan or grant received under the federal Paycheck Protection Program.

LD 968 *Rep. Supica*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079426>

Final Status: DEAD

Committee Status: ONTP

Resolve, To Expand Mental Health Crisis Intervention Mobile Response Services

This resolve requires DHHS to expand mental health crisis intervention mobile response services to provide services 24 hours a day, 7 days a week to the entire State. The department is directed to do this using funding provided for a request for proposal for behavioral health crisis center services.

LD 1001 *Rep. Lemelin*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079469>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Ensure Parents' Access to Their Minor and Adult Children with Special Needs

As amended, the bill establishes the 17-member Task Force To Study Procedures To Ensure Individuals with Intellectual Disabilities or Autism Have Access to Family Members during Hospitalizations to review current policies regarding parental or guardian access to a hospitalized individual with intellectual disabilities or autism.



Health & Human Services

LD 1077 *Sen. Libby*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079554>

Final Status: DEAD

Committee Status: ONTP

Resolve, To Promote Equity in COVID-19 Immunizations

This resolve requires DHHS to:

1. Implement an outreach and education program, using existing resources, including federal funding sources, that is tailored to reach rural populations and historically vulnerable populations with information about where and how to receive a COVID-19 vaccine, vaccine safety and disease prevention;
2. Amend its rules in Section 5, COVID-19 Public Health Emergency Services to provide that the activities associated with the administration of COVID-19 vaccines under the MaineCare program are reimbursed to the maximum extent allowable under federal law; and
3. Report to the Joint Standing Committee on Health and Human Services on the progress the State is making in vaccinating state residents with COVID-19 vaccines beginning 7 days after the effective date of this legislation and every 6 weeks thereafter until the end of the Governor's declaration of a state of emergency due to COVID-19.

LD 1090 *Sen. Claxton*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079593>

Final Status: DEAD

Committee Status: ONTP

Resolve, To Equitably Fund Legal Fees for Progressive Treatment Programs

This resolve establishes a pilot project within DHHS to fund court and legal fees incurred by a superintendent or chief administrative officer of a nonstate mental health institution or a director of an assertive community treatment service team in association with filing and obtaining an order from the District Court to admit a patient to a progressive treatment program. The pilot project is funded up to \$250,000 from the Medical Use of Marijuana Fund to provide up to \$800 per application. The department is required to submit a report to the HHS Committee at the conclusion of the pilot project.

LD 1139 *Rep. Libby*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079737>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Authorize and Regulate Visitation of Essential Caregivers at Long-term Care Facilities

This emergency bill establishes the right of a resident of a long-term care facility to designate a person as an essential caregiver who may visit the resident, at the request of the resident, at any time and who may not be prohibited from visiting because of an outbreak of disease or other reason. The essential caregiver is subject to the same limitations of behavior and entry as employees of the facility, including requirements for illness screening and testing and use of personal protective equipment. The facility may prevent the essential caregiver from approaching any other person in the facility except for the resident. The resident of the facility may have only one essential caregiver at a time.

LD 1173 *Rep. Gramlich*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079769>

Final Status: DEAD

Committee Status: ONTP

Resolve, To Develop a Plan To Treat in Maine Those Children with Behavioral Health Needs Currently Treated Outside the State

This resolve requires DHHS to present a plan for implementing Resolve 2019, chapter 54, which requires the department to coordinate with families of children who are receiving residential treatment services for behavioral health issues outside the State to develop plans to bring the children back to the State to receive the required services that would be received under Section 97 (Private Non-Medical Institution Services). Resolve 2019, chapter 54 also requires the department to negotiate related reimbursement rates in order to provide services to the children.



Health & Human Services

LD 1267 *Sen. Stewart*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079936>

Final Status: DEAD

Committee Status: ONTP

Resolve, To Provide Medicaid Rate Increases for Professionals Working with Individuals with Intellectual or Developmental Disabilities

This resolve requires DHHS to amend its rules governing MaineCare reimbursement for professionals working with individuals with intellectual or developmental disabilities to provide an increase reflecting cost increases from 2010 to 2020.

LD 1385 *Rep. Dodge*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080206>

Final Status: DEAD

Committee Status: ONTP

An Act To Provide for Timely Placement with Respect to Violent Patients in Hospital Emergency Rooms

This bill requires emergency departments of health care facilities to discharge a person exhibiting violent behavior once the person has been medically stabilized and directs the Department of Health and Human Services to establish measures to ensure the safety of emergency department staff and provide appropriate treatment to persons admitted to emergency departments who exhibit violent behavior.

LD 1477 *Rep. Dodge*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080377>

Final Status: DEAD

Committee Status: ONTP

Resolve, Directing the Department of Health and Human Services To Collaborate with the Long-term Care Ombudsman Program To Convene a Stakeholder Group To Make Recommendations for In-home Rehabilitation Services

This resolve directs DHHS to collaborate with the long-term care ombudsman program to convene a stakeholder group to study and to identify and develop recommendations to resolve regulatory and administrative barriers may result in a delay or denial for qualified persons to receive in-home rehabilitation services.

Health Coverage Insurance & Financial Services

LD 443 *Rep. Morris*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078716>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Ensure Choices in Health Insurance Markets

This bill limits the requirement for health insurance carriers to offer so-called clear choice design plans to individual health plans offered through the marketplace pursuant to the federal ACA or the Maine Health Insurance Marketplace. The bill also expands the ability of carriers to offer alternative plans to a clear choice design plan.

Health Coverage, Insurance & Financial Services

LD 323 *Rep. Perry*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078536>

Final Status: DEAD

Committee Status: ONTP

An Act Regarding Insurance Coverage for Telehealth Services

This bill amends the law that requires health insurance carriers to cover telehealth services to provide that health care services provided through telephone communication are considered telehealth services, regardless of whether or not other telehealth services are available. It also allows patients receiving MaineCare health services to provide verbal, electronic or written consent to telehealth and telemonitoring services.



Health Coverage, Insurance & Financial Services

LD 333 *Rep. Hymanson*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078529>

Final Status: DEAD

Committee Status: ONTP

An Act Regarding Telehealth

This bill makes changes to the provisions governing health insurance coverage of telehealth services.

1. It authorizes the delivery of health care services through telehealth by audio-only telephone.
2. It clarifies that reimbursement for telehealth services must be made on the same basis and at the same rate as if the services were delivered in person.
3. It clarifies that a carrier may not establish separate deductible limits for telehealth services that are not applied in the aggregate with other services covered under a health plan.
4. It prohibits a carrier from placing restrictions on prescribing medication through telehealth that are more restrictive than requirements of applicable state and federal law for prescribing medication in person. The bill applies to health plans issued or renewed on or after January 1, 2022.

LD 352 *Rep. Morris*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078567>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Maintain the Integrity of the Individual and Small Group Health Insurance Markets

This bill repeals the requirement adopted last year that individual and small group health plans offered with effective dates of coverage on or after January 1, 2022 must be offered through a pooled market.

LD 365 *Rep. Morris*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078562>

Final Status: DEAD

Committee Status: ONTP

An Act To Protect Consumers from Surprise Medical Bills

This concept draft proposes to enact measures designed to protect consumers from surprise medical bills.

LD 367 *Sen. Claxton*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078585>

Final Status: DEAD

Committee Status: ONTP

An Act To Require Timely Billing for Health Care Services

This bill prohibits a health care practitioner or facility from charging a patient when a billing statement has not been provided within 6 months of the date the patient received the services.

LD 675 *Sen. Claxton*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079140>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Protect Maine Consumers from Unsupported Price Increases on Prescription Medicines by Creating an Independent Review Process

This bill makes prescription drug manufacturers subject to fines for the sale of prescription drugs in this State identified as having an unsupported price increase. The determination of what constitutes an unsupported price increase for a prescription drug is based on whether there was no, or inadequate, new clinical evidence to support the price increase, as demonstrated by the analyses of prescription drugs prepared annually by the Institute for Clinical and Economic Review, or successor organization.

LD 738 *Rep. Warren*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079225>

Final Status: DEAD

Committee Status: ONTP

An Act To Provide High-quality Health Care for All Maine Residents

Concept draft.



Health Coverage, Insurance & Financial Services

LD 749 Rep. Perry

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079222>

Final Status: DEAD

Committee Status: ONTP

An Act To Establish a Council on Health Systems Development

This concept draft bill would establish a council on health systems development that consists of representatives of health systems, including representatives from long-term care, mental health, public health, health care quality and insurance companies and organizations, as well as small and large businesses, and consumers, who would discuss and review health data and make recommendations regarding improving the health systems in the State.

LD 750 Rep. Morris

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079224>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Increase Transparency of and Lower Health Care Costs

Concept draft.

LD 752 Rep. Morris

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079227>

Final Status: DEAD

Committee Status:

An Act To Increase Patients' Access to Quality Doctors

Concept draft.

LD 849 Rep. Mathieson

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079313>

Final Status: DEAD

Committee Status: ONTP

An Act To Make Permanent the Telehealth Reimbursement Options Passed by Emergency Measures

This bill makes permanent the authorization for the delivery of health care services through telehealth by telephone that was provided through executive order during the declared public health emergency related to COVID-19.

Under current law, health insurance carriers are required to reimburse for services delivered through telehealth at parity with the reimbursement that would be provided if the services were delivered through an in-person consultation, but the use of audio-only telephone to deliver those services is not permitted. This bill removes that prohibition. The bill also clarifies that reimbursement for telehealth services must be made on the same basis and at the same rate as if the services were delivered in person and that a carrier may not establish separate deductible limits for telehealth services that are not applied in the aggregate with other services covered under a health plan.

Under current law, telehealth services reimbursed under the MaineCare program for the delivery of service using the telephone are limited to when interactive telehealth services are unavailable or when a telephonic service is medically appropriate for the underlying covered service. This bill removes that limitation and also clarifies that services provided through telehealth must be reimbursed at the same rate as comparable services provided through an in-person consultation.

The requirements in the bill apply to health plans issued or renewed on or after January 1, 2022.

LD 927 Rep. Libby

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079379>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Increase the Availability of Health Care Services by Eliminating the Certificate of Need for All Health Care Services

This bill repeals the requirements for a certificate of need issued by the Department of Health and Human Services for the offering of new health care services by a health care facility.



Health Coverage, Insurance & Financial Services

LD 931 *Rep. Libby*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079377>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Increase Hospital Bed Capacity by Eliminating the Certificate of Need for Outside Hospital Beds

This bill repeals the requirements for a certificate of need issued by the Department of Health and Human Services for adding new licensed beds or increasing beds in a health care facility other than a hospital.

LD 935 *Rep. Libby*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079386>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Increase the Ability of Health Care Facilities To Respond to Health Needs by Eliminating the Certificate of Need for Health Care Facilities

This bill repeals the requirements for a certificate of need issued by the Department of Health and Human Services for the establishment of new health care facilities.

LD 951 *Sen. Bennett*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079406>

Final Status: DEAD

Committee Status: ONTP

An Act To Improve Transparency of Medical Billing

This bill provides that:

1. A health care practitioner or laboratory providing health care or laboratory services in a medical office or laboratory must inform patients of the cost of such care or services 14 prior to provision of that care or those services; and
2. A health care entity may not bill a responsible party for the first time for a medical service that occurred more than one year earlier. It provides that a responsible party who receives a bill for a medical service for the first time for a medical service that occurred more than one year earlier is not obligated to pay the bill. It further provides that a health care entity may not initiate a collection action against the responsible party if the health care entity had not billed the responsible party within one year of the medical service.

LD 1004 *Rep. Libby*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079476>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Ensure Access to Health Care Equipment by Eliminating the Certificate of Need for Major Medical Equipment

This bill repeals the requirements for a certificate of need issued by DHHS for the acquisition of major medical equipment.

LD 1007 *Rep. Libby*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079481>

Final Status: DEAD

Committee Status: ONTP

An Act To Increase Availability of Health Care through Telehealth

This bill makes permanent the Governor's Executive Order which allows certain licensed or registered professionals to provide necessary health care or other services to the extent practicable through the use of all modes of telehealth, including visual and audio, audio-only or other electronic media. The bill also clarifies that these services must be covered by insurance as they would be if provided in person.



Health Coverage, Insurance & Financial Services

LD 1151 *Rep. Collings*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079717>

Final Status: DEAD

Committee Status: ONTP

An Act To Lower Out-of-pocket Prescription Medicine Costs by Requiring Health Insurers To Offer Plans with No Deductibles

This bill requires carriers offering individual and group health plans to make available at least 50% of health plans in each market segment without deductibles for prescription drugs covered under those health plans. The bill also clarifies the treatment of copayments and coinsurance for prescription drugs under these plans.

LD 1194 *Rep. Libby*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079774>

Final Status: DEAD

Committee Status: ONTP

An Act To Reduce Health Care Worker Shortages

This bill makes permanent the authorization for licensing out-of-state and recently retired doctors, physician assistants and nurses that was provided through executive order during the declared state of civil emergency related to COVID-19. The bill also expands the scope of health care services that can be provided through telehealth to include the use of audio-only telephone.

LD 1531 *Rep. Arford*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080469>

Final Status: DEAD

Committee Status: ONTP

An Act To Provide Affordable Behavioral Health Services to Individuals under 26 Years of Age

This bill requires health insurance carriers to provide coverage without cost sharing for up to 6 behavioral health office visits for persons under 26 years of age in plan years 2021 to 2026.

Health Coverage, Insurance and Financial Services

LD 56 *Rep. Doore*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078031>

Final Status: DEAD

Committee Status: ONTP

An Act To Prohibit Insurers and Third-party Payors from Adjusting Their Fee Schedules for In-network Providers Unless the Adjustments Apply to All Specialties

This bill prohibits a carrier from making any change in reimbursement rates or fee schedules applying to any providers participating in the carrier's network unless the changes are applied in the same manner to all participating providers able to provide a health care service or procedure within the lawful scope of the providers' individual licenses. The bill also prohibits a carrier from discriminating against a provider based on the provider's license or specialty in a manner that denies payment to the provider for an increase in reimbursement to account for a cost-of-living adjustment.

LD 167 *Sen. Pouliot*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078177>

Final Status: DEAD

Committee Status: ONTP

An Act To Limit Late Medical Billing to 6 Months

This bill prohibits a health care entity, including health care practitioners and hospitals and other health care facilities, from charging a patient for health care services when a billing statement has not been provided within 6 months of the date the patient received health care services. Its not clear what is meant by "billing statement" and it is not clear if the 6 months accounts for any delays by the carriers.



Health Coverage, Insurance and Financial Services

LD 178 *Rep. Cuddy*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078188>

Final Status: DEAD

Committee Status: ONTP

An Act To Reduce Waste of Prescription Medications

This bill provides that registered nurses, providers of osteopathic medicine, providers of allopathic medicine, podiatrists and dentists may not prescribe to a patient more than a 30-day supply of a prescription drug that the provider has not previously prescribed to that patient. The bill also provides that a pharmacist may not dispense more than a 30-day supply of a new prescription drug order to a patient who does not have a previous prescription drug order for that drug. The prescribing and dispensing requirements in this bill provide exemptions for opioid medications prescribed or dispensed in accordance with Maine's opioid law.

LD 295 *Rep. Perry*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078456>

Final Status: DEAD

Committee Status: ONTP

An Act To Repeal Restrictions That Prohibit Certain Advanced Practice Registered Nurses from Providing Essential Health Care Services

This bill eliminates a provision in law requiring that a certified nurse practitioner who qualifies as an advanced practice registered nurse must practice, for at least 24 months, under the supervision of a physician or supervising nurse practitioner or be employed by a clinic or hospital that has a medical director who is a licensed physician. The bill also removes a requirement that a certified nurse practitioner must complete 24 months of supervised practice to be a supervising nurse practitioner.

LD 530 *Sen. Claxton*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078913>

Final Status: DEAD

Committee Status: ONTP

An Act To Consolidate Patient Bills by Directing Health Insurers To Collect Copayments and Deductibles

This bill clarifies that cost-sharing amounts in health plans must be collected by carriers. The bill applies to health plans issued or renewed in this State on or after January 1, 2023.

LD 599 *Sen. Miramant*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079025>

Final Status: DEAD

Committee Status: ONTP

An Act To Require Coverage for Certain Ultrasound Exams

This bill requires insurance carriers to provide coverage in health plans for ultrasound services when a provider considers the procedure necessary during a physical or a preventive exam.

LD 617 *Rep. Brooks*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079033>

Final Status: DEAD

Committee Status: ONTP

An Act Concerning Prior Authorizations for Prescription Drugs

Note: Duplicate of LD 532.



Health Coverage, Insurance and Financial Services

LD 649 *Sen. Stewart*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079104>

Final Status: DEAD

Committee Status: ONTP

An Act To Expand and Promote Telehealth Services

This bill provides under the insurance laws that a health care provider may provide telehealth services using telecommunications technology and equipment of the patient's choice or, with the patient's consent, telecommunications technology and equipment available to the provider and the patient. It also provides that a provider not licensed in the State must follow the criteria in the medical licensing laws relating to the provision of telehealth services to a patient in the State. The bill also amends the medical licensing laws for a physician not licensed in the State by expanding the physician's ability to provide consulting services to a patient to allow the physician to provide any telehealth service to a patient. It also changes from discretionary to mandatory the Board of Licensure in Medicine's approval of a physician not licensed in the State to provide telehealth services in the State if the physician meets certain criteria and reduces from \$500 to \$300 the fee the physician must pay to become registered to practice telehealth services in the State.

LD 932 *Rep. Libby*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079380>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Increase Hospital Capacity by Eliminating the Certificate of Need for Hospital Beds

This bill repeals the requirements for a certificate of need issued by the Department of Health and Human Services prior to any increase in the licensed beds by a hospital.

LD 1341 *Rep. Bell*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080083>

Final Status: DEAD

Committee Status: ONTP

An Act To Protect Medicare Beneficiaries from Surprise Medical Billing

This bill prohibits physicians from balance billing Medicare beneficiaries for any amount in excess of the reasonable charge for a service, procedure or treatment paid to that physician under the Medicare program.

LD 1353 *Sen. Miramant*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080130>

Final Status: DEAD

Committee Status: ONTP

An Act To Require the Public Posting of the Costs of Medical Procedures, Services, Medications and Equipment Delivered in Hospitals and the Reporting of Those Costs upon Request

This bill requires a hospital to post on its publicly accessible website the cost to a patient of procedures, services, medications and equipment provided by that hospital. It requires a hospital to provide notice to a patient of this posting and provide these costs to a patient upon the request of that patient. A violation of the provisions of the bill is a Class E crime for which a fine of \$1,000 per day may be adjudged.

LD 1361 *Sen. Stewart*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080175>

Final Status: DEAD

Committee Status: ONTP

An Act To Amend Telehealth Laws Regarding Out-of-state Telehealth Provisions

This bill amends the definition of "telehealth" in the health plan requirements of the Maine Insurance Code by clarifying that telehealth is the provision through electronic means of health care services from a telehealth provider in one location and an enrollee in another location directly or through another health care provider, by clarifying which electronic means are allowed for providing telehealth and by removing the exclusion of audio-only telephone, facsimile machine, e-mail or texting from the definition. The bill also repeals the provisions requiring the registration of out-of-state physicians providing telehealth consulting services and replacing the provisions with only the requirement that the out-of-state physician possess an unrestricted license in medicine in the state from which the physician is located when providing the consulting services and adds a similar provision in the provisions regarding licensure of osteopathic physicians.



Health Coverage, Insurance and Financial Services

LD 1481 *Rep. Morris*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080381>

Final Status: DEAD

Committee Status: ONTP

An Act To Clarify Surprise Billing Restrictions

This bill eliminates the use of independent medical claims databases in the laws governing surprise medical bills and bills for out-of-network emergency services.

LD 1576 *Sen. Brenner*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080129>

Final Status: DEAD

Committee Status: WITHDRAWN

Resolve, To Establish and Fund a Medical Professionals Health Program from Health Care Provider License Fees

This resolve requires the Department of Professional and Financial Regulation to study the best method of establishing and administering a medical professionals health program to assist medical professionals with substance use, mental health, behavioral and administrative issues and stress and burnout and working with state licensing boards to ensure the safety of medical professionals and their patients.

The program would be funded by a dedicated source of revenue generated from surcharges placed on the licensing fees of medical professionals. The surcharges would be based on the current licensing or certification fees.

LD 1614 *Rep. Lookner*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080631>

Final Status: DEAD

Committee Status: ONTP

An Act To Mandate That Certain Health Care Providers Disclose an Estimate of Charges at Time of Service

Current law requires a health care entity, upon the request of an uninsured patient, to provide an estimate of the total price of medical services to be rendered by that health care entity during a single medical encounter. This bill expands that requirement to all patients, regardless of their insured status and regardless of whether a request is made, and to those patients' health insurance providers, if any. This bill also requires a health care entity, in the event that medical or laboratory services will be provided by a 3rd party, to identify that 3rd-party health care entity or laboratory so that the patient or the patient's health insurance provider, if any, can obtain an estimate of the costs of those services.

LD 1648 *President Jackson*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080720>

Final Status: DEAD

Committee Status:

An Act To Ensure Reasonable Access to Laboratory Testing and Imaging Services for State Employee Health Care Plan Participants

This bill requires the Department of Administrative and Financial Services to coordinate with health benefit carriers administering the state employee health insurance program to ensure that state employees and retirees participating in the state employee health insurance program have access to participating providers of laboratory testing and imaging services within 100 miles of their residential address or can obtain laboratory testing and imaging services from out-of-network providers at no additional cost to themselves. The bill requires the department to provide information on participating providers of laboratory testing and imaging services to participating state employees and retirees and to notify a participant of any error in the information it provides within 30 days of the discovery of the error.

Health & Human Services



Health & Human Services

LD 1325 *Rep. Perry*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080051>

Final Status: DEAD

Committee Status: ONTP

An Act To Provide Relief from Audit Requirements for Certain Health Care Facilities during a State of Emergency

This bill prohibits the Maine Health and Higher Educational Facilities Authority from requiring certain health care facilities to file audited financial statements or reports with the authority during a state of emergency declared by the Governor and for 2 years thereafter.

Innovation, Development, Economic Advancement and Business

LD 804 *Sen. Keim*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078380>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Require Notice for Orthopedic Medical Device Recalls

This bill requires a hospital or ambulatory surgical facility to notify patients when the hospital or ambulatory surgical facility receives notice that an orthopedic medical device that the hospital or ambulatory surgical facility has provided to a patient has been subjected to market withdrawal or FDA requested recall. Notice must be provided to the patient in writing within 30 days and include identification of the specific device, a concise explanation of the reason for the recall and the hazards involved, if any, specific action steps and a point of contact for the patient. The bill provides for a civil violation if an individual or entity fails to provide the notification. An individual is subject to a fine of not less than \$500 and not more than \$5,000 for each violation, and an entity is subject to a fine of not less than \$2,000 and not more than \$15,000 for each violation.

LD 1297 *Rep. Brooks*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080057>

Final Status: DEAD

Committee Status: ONTP

An Act To Provide Educational Opportunities for Family Members of Deceased Veterans, First Responders and Health Care Workers

This bill creates the Educational Opportunity Grant Program for Family Members of Deceased Veterans, First Responders and Health Care Workers, administered by the Finance Authority of Maine, to provide postsecondary education grants to eligible children and spouses of veterans, first responders and health care workers who die or contract a condition or illness that leads to their death. The program is funded by a fund that may accept appropriations, allocations, grants or donations from public and private sources, including financial aid resources, and the authority may solicit private donations for the fund.

Judiciary

LD 402 *Rep. White*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078611>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Protect an Individual's Personal Data

This bill allows a person immunized or vaccinated in the State to forbid the State to disseminate any personally identifying information collected by the State as part of that immunization or vaccination to any 3rd party, including the Federal Government.

LD 1225 *Sen. Cyrway*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079851>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Provide Dignity for Fetal Remains by Requiring Their Interment or Cremation

This bill requires the final disposition of fetal remains resulting from abortion, miscarriage or fetal death, regardless of gestational age, through cremation or interment.



Judiciary

LD 1229 *Rep. Griffin*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079857>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Require Certain Medical Providers To Administer Ultrasounds and Provide Information to Certain Pregnant Patients

This bill requires a health care professional to ensure that a pregnant woman undergoes an ultrasound and receives information about alternatives to abortion, including parenting the child, at least 48 hours before she can have an abortion. The existence of a medical emergency eliminates the 48-hour waiting period.

LD 1292 *Sen. Keim*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079893>

Final Status: DEAD

Committee Status: DIV RPT

An Act Regarding the Parental Right To Direct the Health Care of Children

This bill requires the Department of Health and Human Services to obtain permission from a parent or guardian before placing an infected minor in isolation during a public health emergency. It also prohibits physical examinations, surgical procedures, vaccine administrations and drug prescriptions for a minor without parent or guardian permission, as well as a physician's orders not to resuscitate, to withhold an artificial life-sustaining procedure or to withhold artificial nutrition and hydration. An exception is provided for life-threatening situations or when the parent or guardian cannot be readily located or contacted.

LD 1403 *Rep. Dillingham*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080217>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Protect Maine Businesses, Nonprofits, Educational Institutions and Municipalities during the COVID-19 Pandemic

This bill provides a limitation against liability for a municipality, educational institution or for-profit or nonprofit business organization from suit alleging personal liability due to exposure to coronavirus if the municipality, educational institution or business organization is following applicable government standards and guidance related to coronavirus exposure.

LD 1419 *Sen. Moore*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080298>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Support Health Care Providers during State Public Health Emergencies

This bill provides a limitation on civil liability to certain health care professionals, health care facilities, behavioral and developmental services facilities and emergency medical services persons in the event of a declared emergency related to public health. The bill is retroactive to the beginning of the state of civil emergency declared by the Governor in response to the COVID-19 pandemic.

LD 1510 *Sen. Keim*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080443>

Final Status: DEAD

Committee Status: DIV RPT

An Act Concerning Informed Consent of Minors' Authority to Release Health Care Information

This bill amends the laws governing the confidentiality of health care information to provide that if a health care facility or health care practitioner maintains a minor's records electronically, then the records must be provided electronically to any person who is authorized to access the minor's health care records.

Labor & Housing



Labor & Housing

LD 447 *Rep. Roeder*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078720>

Final Status: DEAD

Committee Status: ONTP

An Act To Require Equivalent Paid Parental Leave for All Parents Employed by Companies Offering Paid Parental Leave

This bill requires an employer that provides paid parental leave to provide an equal amount of leave for the birth of a child and the adoption of a child. It also prohibits an employer from providing different amounts of paid parental leave based on the gender of the employee or employee's domestic partner. The bill uses the definition of "employer" under the family medical leave laws. The bill establishes a fine of \$10,000 for violation of these requirements.

LD 455 *Rep. Newman*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078737>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Give the State the Sole Authority To Establish a Minimum Wage and Hazard Pay with Certain Exceptions

This bill prohibits a municipality from enacting an ordinance governing the minimum hourly wage paid by an employer or requiring adjustments to the minimum hourly wage for hazard pay except for municipal employees.

LD 553 *Rep. Sylvester*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078958>

Final Status: DEAD

Committee Status: DIV RPT. MAJ OTP

An Act To End At-will Employment

This bill prohibits an employer from terminating the employment of an employee without cause. The bill specifies that an employer may terminate an employee for cause only after applying a 3-step progressive discipline policy and providing notice of termination in accordance with certain requirements. The bill also eliminates references to at-will employment in current law.

LD 838 *Rep. Poirier*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079306>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Exempt Substitutes, Coaches and Temporary Employees in the Education System from Paid Sick Leave Requirements

This bill exempts substitute teachers, other substitute employees, coaches and temporary employees in school systems from being covered by the law that requires employers to offer earned paid leave to employees.

LD 1279 *Rep. Collings*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079948>

Final Status: DEAD

Committee Status: DIV RPT (Maj. ONTP)

An Act To Increase the Minimum Wage

This bill increases the minimum hourly wage, starting January 1, 2022, from its present \$12.00 per hour to \$13.00 per hour and by an additional \$1.00 per hour each year until the minimum wage on January 1, 2025 is \$16.00 per hour. Beginning January 1, 2026 and every year after, the minimum wage increases by the increase, if any, in the cost of living.



Labor & Housing

LD 1436 *Rep. O'Connell*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080325>

Final Status: DEAD

Committee Status: ONTP

An Act To Protect Certain Essential Workers from Infectious Disease

This bill requires public and private employers that employ persons who provide direct, in-person services in medical settings or in correctional institutions or that employ firefighters or emergency medical services persons, collectively referred to in this bill as "covered employees," to take certain actions with respect to providing personal protective equipment for those covered employees. The bill requires employers to supply personal protective equipment to covered employees and to ensure these employees use the personal protective equipment in accordance with occupational and safety rules of the Department of Labor. It also requires employers to maintain a stockpile of the following specific personal protective equipment equal to 3 months of normal use by covered employees: N95 filtering facepiece respirators, powered air-purifying respirators with high-efficiency particulate air filters, elastomeric air-purifying respirators and appropriate particulate filters or cartridges, surgical masks, isolation gowns, eye protection and shoe coverings. If an employer's covered employees work in a facility or other setting controlled by another employer that must stockpile equipment for its own covered employees, the employer that controls that facility or other setting is responsible for meeting the stockpiling requirements for all covered employees who work in that facility or setting.

The bill provides that, on or before January 15, 2022, an employer is required to determine its highest 7-day consecutive daily average consumption of personal protective equipment and to provide this information to the Department of Labor upon request. The bill provides for civil and administrative penalties for violations of the requirements of the bill.

LD 1571 *Speaker Fecteau*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080596>

Final Status: DEAD

Committee Status: ONTP

An Act To Strengthen the Unemployment Insurance System To Better Serve Maine Workers

This bill, filed by the Speaker of the House, requires the Department of Labor, to examine the adequacy of Maine's unemployment compensation system in meeting the needs of today's workforce and economy, to establish benchmarks for program improvement and to annually measure progress in reaching those benchmarks. It also requires an assessment of the staffing capacity within the Department of Labor and requires the Commissioner of Labor to submit a report of these findings to the Labor Committee. It establishes the peer navigator program to increase access to unemployment compensation benefits for underserved individuals and makes several amendments in current law to support these goals.

LD 1711 *President Jackson*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080700>

Final Status: DEAD

Committee Status: DIV RPT (Maj. OTP)

An Act To Enhance Enforcement of Employment Laws

This bill provides for a right of a whistleblower alleging a violation of certain labor laws to bring a private enforcement action on behalf of the State and in the name of the State after providing notice to the Attorney General, the Department of Labor or the Maine Human Rights Commission, depending on which law has been claimed to be violated. The bill provides for penalties if the private enforcement action succeeds, which vary depending on whether the State has intervened, and for distribution of the penalties, including 15% of any penalty received to be deposited into the Community Outreach and Labor Education Fund, created by the bill to assist workers enforcing employment rights, including outreach, community-based education events, training materials, technical assistance, counseling and investigative, research and referral services.

State & Local Government

LD 131 *Rep. Dillingham*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078118>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Amend the Governor's Emergency Powers

This bill limits a state of emergency proclaimed by the Governor to 30 days. It requires subsequent renewals of a state of emergency to receive approval from 2/3 of the membership of the Legislature. It also amends the Governor's powers during a state of emergency.



Taxation

LD 498 *Rep. Sylvester*

<http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078815>

Final Status: DEAD

Committee Status: Maj OTP

An Act To Reauthorize a 3 Percent Tax on Income over \$200,000 To Lift All Maine Workers out of Poverty

This bill imposes an income tax surcharge on taxable income exceeding \$200,000 and increases the Maine earned income tax credit to equal the federal earned income tax credit.

LD 532 *Sen. Baldacci*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280078917>

Final Status: DEAD

Committee Status: ONTP

An Act To Lower Income Taxes for Middle-income Families in Maine

This bill provides a credit to reduce income taxes by 10% for individuals filing as single individuals and married persons filing separately with taxable income under \$60,000, heads of households with taxable income under \$90,000 and individuals filing married joint returns and surviving spouses with taxable income under \$120,000. The bill also provides an additional income tax bracket with a tax rate of 7.95% for individuals filing as single individuals and married persons filing separately with taxable income exceeding \$200,000, heads of households with taxable income exceeding \$300,000 and individuals filing married joint returns and surviving spouses with taxable income exceeding \$400,000.

LD 659 *Rep. Tuell*

<http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079109>

Final Status: DEAD

Committee Status: ONTP

An Act To Ease the Property Tax Burden by Authorizing Municipalities To Require Payments in Lieu of Taxes from Certain Exempt Organizations

This bill permits municipalities to adopt an ordinance to impose an impact fee on certain property that is exempt from property tax unless the owner of the property has entered into an agreement to make payments in lieu of taxes. An impact fee may not be imposed if the owner of the property has an annual budget of less than \$50,000.

LD 1136 *Rep. Harnett*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079733>

Final Status: DEAD

Committee Status: ONTP

An Act To Promote Fairness in Income Tax Rates by Making Them More Progressive

This is one of many bills to change the individual income tax brackets to provide 4 brackets rather than 3. The bill adds a new bracket of 10.15% on taxable income exceeding \$100,000 for single individuals and married persons filing separately, \$150,000 for heads of households and \$200,000 for individuals filing married joint returns and surviving spouses.

LD 1251 *Rep. Arata*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280079911>

Final Status: DEAD

Committee Status: DIV RPT

An Act To Encourage Charitable Giving

This bill allows an individual to claim, beginning with taxable years beginning on or after January 1, 2021, itemized deductions from Maine adjusted gross income for individual income tax purposes for charitable contributions that exceed the State's limit on itemized deductions.

LD 1443 *Rep. Collings*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080320>

Final Status: DEAD

Committee Status: ONTP

An Act Regarding Higher Income Tax Levels

This bill establishes 5 new tax brackets for income exceeding \$100,000 for persons filing as single individuals or married individuals filing separately, \$150,000 for individuals filing as head of household and \$200,000 for individuals filing married joint returns or surviving spouses. The tax rates for such brackets are 9.15%, 10.15%, 11.15%, 12.15% and 13.15%.



Taxation

LD 1598 *Rep. Terry*

<http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080634>

Final Status: DEAD

Committee Status:

An Act To Eliminate Taxpayer Subsidies for Discriminatory Employers

This bill provides that persons, including entities, that violate laws against discrimination or certain labor laws are not eligible for state financial assistance.

LD 1677 *Speaker Fecteau*

<http://www.legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080739>

Final Status: DEAD

Committee Status: ONTP

An Act To Support Frontline Workers by Adding a Temporary Tax Bracket Affecting High Earners

This bill requires the Department of Labor to create the Frontline Worker Support Program to provide grants to frontline workers including, without limitation, health care workers, firefighters, law enforcement officers, corrections officers, food and agricultural workers, United States Postal Service workers, manufacturing workers, grocery store workers, public transit workers and persons who work in the educational sector, such as teachers, support staff or child care workers. The grants, disbursed by the Treasurer of State based on the eligibility criteria developed by the Department of Labor, are funded by a temporary, 2-year surcharge of 3% on annual Maine adjusted gross income in excess of \$200,000 for single filers, \$350,000 for heads of households and \$500,000 for joint filers.

