

First Regular Session--131st Maine Legislature

Maine Hospital Association Legislative Report

7/31/2023

LD 12 An Act to Amend the Laws Governing Severance Pay to Cover More Types of Employers and Include More Workers

Sponsor: Rep. Roeder <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085115>

Labor & Housing **Committee Status:** DIV RPT
Public Hearing: 2/7/2023 1:00 PM **Final Status:** PL 2023, CH 52

Current law regarding employee severance pay due to the closing, substantial shutdown or relocation of a covered establishment applies only to industrial and commercial facilities. This law removes that limitation, making the law applicable to sectors that are not within the industrial or commercial category, including non-profit entities.

LD 18 An Act to Provide Ongoing Funding for up to 2 Years of Community College for Certain Maine Students

Sponsor: Rep. Bridgeo <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085128>

Education & Cultural Affairs **Committee Status:** LTW
Public Hearing: **Final Status:** DEAD

This bill provides ongoing funding for high school graduates and individuals who obtain the equivalent of a high school diploma to receive a waiver of tuition and fees for up to 2 years in the Maine Community College System.

LD 35 An Act to Establish Adult Protective Services Training Requirements for Professionals Mandated to Report Suspected Abuse, Neglect or Exploitation to Enhance Protection of Incapacitated and Dependent Adults

Sponsor: Sen. Moore <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085084>

Health & Human Services **Committee Status:** OTP
Public Hearing: 3/15/2023 1:00 PM **Final Status:** PL 2023, CH 36

As enacted, this law requires professionals mandated to make reports of abuse, neglect and exploitation of incapacitated and dependent adults pursuant to the Adult Protective Services Act to complete training on mandated reporter responsibilities once every 4 years.

LD 51 An Act to Restore Religious and Philosophical Exemptions to Immunization Requirements

Sponsor: Rep. Drinkwater <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085175>

Education & Cultural Affairs **Committee Status:** DIV RPT
Public Hearing: 4/3/2023 10:00 AM **Final Status:** DEAD

Public Law 2019, chapter 154 removed the exemption from immunization requirements based on religious or philosophical beliefs for students in elementary, secondary and postsecondary schools and employees of nursery schools and certain health care facilities. This bill reinstates the religious and philosophical exemptions.



LD 53 An Act to Ensure Accountability for Workplace Harassment and Assault by Removing Intentional Acts and Omissions from Workers' Compensation Exemptions

Sponsor: Rep. Lee <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085177>

Labor & Housing

Committee Status: DIV RPT

Public Hearing: 2/16/2023 1:00 PM

Final Status: PL 2023, CH 126

This bill removes intentional acts and omissions from the exemptions from civil action related to damages sustained by an employee when an employer has secured payment of workers' compensation.

LD 59 An Act to Prohibit Inclusion of the COVID-19 Vaccine in the Universal Childhood Immunization Program

Sponsor: Rep. Underwood <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085183>

Health & Human Services

Committee Status: DIV RPT

Public Hearing: 4/24/2023 10:00 AM

Final Status: DEAD

This bill prohibits the inclusion of any vaccine for COVID-19 on the list of vaccines available through the Universal Childhood Immunization Program.

LD 82 An Act to Improve Access to Children's Behavioral Health Services

Sponsor: Rep. Meyer <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085216>

Health & Human Services

Committee Status: OTP

Public Hearing: 4/10/2023 10:00 AM

Final Status: PL 2023, CH 83

As enacted, this law, removes the requirement that service providers contracted by the Department of Health and Human Services charge fees for services for children with mental health needs, intellectual disabilities or autism and their families.

LD 94 An Act Regarding the Use of Medical Cannabis by Minors

Sponsor: Rep. Riseman <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085237>

Veteran's and Legal Affairs

Committee Status: ONTP

Public Hearing:

Final Status: DEAD

This concept draft proposes to require approval from a minor's primary care provider before that minor may use medical cannabis.

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

Sponsor: Rep. Perry <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085265>

Health Coverage, Insurance and Financial Services

Committee Status: DIV RPT

Public Hearing: 1/31/2023 1:00 PM

Final Status: PL 2023, CH 37

As enacted, this law repeals the Hospital and Health Care Provider Cooperation Act.

LD 99 An Act to Clarify the Allowable Temperature Range in Certain Long-term Care Facilities

Sponsor: Rep. Dodge <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085271>

Health & Human Services

Committee Status: ONTP

Public Hearing: 2/7/2023 1:00 PM

Final Status: DEAD

This bill requires certain long-term care facilities to maintain a temperature of not less than 71 degrees Fahrenheit and not more than 81 degrees Fahrenheit.



LD 104 An Act to Make It a Crime Not to Report a Death

Sponsor: *Rep. Babin* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085266>

Criminal Justice & Public Safety **Committee Status:** DIV RPT
Public Hearing: 3/6/2023 10:00 AM **Final Status:** DEAD

This concept draft would make it a crime not to report a death.

LD 116 An Act to Establish a Minimum Wage for All Health Care Workers Including All Support Staff

Sponsor: *Sen. Baldacci* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085249>

Labor & Housing **Committee Status:** ONTP
Public Hearing: 2/14/2023 1:00 PM **Final Status:** DEAD

This bill provides that, beginning January 1, 2024, the minimum wage for individuals employed by or who work in a health care facility is \$15.00 per hour.

LD 129 Resolve, to Direct the University of Maine System to Study the Feasibility of Establishing a Public Allopathic Medical School in Penobscot County

Sponsor: *Sen. Baldacci* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085291>

Education & Cultural Affairs **Committee Status:** APP TBL
Public Hearing: 2/2/2023 1:00 PM **Final Status:** RESOLVE 2023, CH 114

This resolve directs the University of Maine System to conduct a study to evaluate the feasibility of establishing a public allopathic medical school in Penobscot County. The University of Maine System is required to submit a report based on its evaluation by December 6, 2023 to the Education Committee, which may report out legislation

LD 132 An Act to Require Health Insurance Carriers to Provide Coverage for Blood Testing for Perfluoroalkyl and Polyfluoroalkyl Substances

Sponsor: *Sen. Brenner* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085294>

Health Coverage, Insurance and Financial Services **Committee Status:**
Public Hearing: 3/28/2023 1:00 PM **Final Status:** CARRY OVER

This bill requires carriers offering health plans in this State to provide coverage for blood testing for perfluoroalkyl and polyfluoroalkyl substances. The requirements of the bill apply to health plans issued or renewed on or after January 1, 2024.

LD 139 Resolve, Establishing the Commission to Study the Liability of Parents and Legal Guardians for Damage by Minors

Sponsor: *Rep. Rudnicki* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085308>

Judiciary **Committee Status:** APP TBL
Public Hearing: 1/26/2023 1:00 PM **Final Status:** DEAD

This bill amends the current law setting the maximum amount of damages for which the parents or legal guardians of a minor who is 7 years of age or older and under 18 years of age may be liable for willful or malicious acts of that minor that cause damage to property or injury to a person by changing the maximum possible amount of damages from \$800 to \$6,000.



LD 158 An Act to Create a Training License and Program for Certain Advanced Practice Providers

Sponsor: Rep. Moriarty <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085334>

Health Coverage, Insurance and Financial Services **Committee Status:**
Public Hearing: **Final Status:** DEAD

This concept draft would allow hospitals to offer a training license and training program for physician assistants and nurse practitioners.

LD 160 An Act to Amend the Laws Governing Practicing Chiropractic Without a License

Sponsor: Rep. Libby <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085374>

Health Coverage, Insurance and Financial Services **Committee Status:** DIV RPT
Public Hearing: 2/9/2023 1:00 PM **Final Status:** DEAD

This bill amends the laws governing practicing chiropractic without a license to include a prohibition on an individual using the title "chiropractic physician" without having complied with the provisions of law relating to the licensing of the practice of chiropractic.

LD 162 Resolve, to Study the Establishment of a Substance Use Disorder Hotline

Sponsor: Rep. Madigan <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085378>

Health & Human Services **Committee Status:** OTPA
Public Hearing: 4/3/2023 10:00 AM **Final Status:** RESOLVE 2023, CH 69

As enacted, this law requires the Department of Health and Human Services to develop a plan to implement a hotline through the Maine Substance Use Disorders Learning Community to assist and provide guidance to primary care physicians and other providers in providing care to patients with substance use disorder.

LD 172 An Act to Allow Health Care Workers to Return to Work by Reinstating Exemptions from Immunization Requirements

Sponsor: Rep. Boyer <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085373>

Health & Human Services **Committee Status:** DIV RPT
Public Hearing: 4/24/2023 10:00 AM **Final Status:** DEAD

This bill reinstates the religious and philosophical exemptions from immunization requirements for health care workers.

LD 176 An Act to Increase the Safety of Patients and Staff at the Dorothea Dix Psychiatric Center and the Riverview Psychiatric Center

Sponsor: Rep. Madigan <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085381>

Health & Human Services **Committee Status:**
Public Hearing: **Final Status:** DEAD

This bill requires the Department of Health and Human Services to establish and maintain certain staffing levels at the Riverview Psychiatric Center and the Dorothea Dix Psychiatric Center and to update and maintain certain technology at the psychiatric centers. It requires the department to report annually to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding injuries of staff and residents of the psychiatric centers.



LD 181 Resolve, Requiring Progress Reports from the Department of Health and Human Services Regarding the Implementation of Secure Children's Psychiatric Residential Treatment Facility Services

Sponsor: *Sen. Black* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085354>

Health & Human Services

Committee Status: OTPA

Public Hearing: 3/21/2023 1:00 PM

Final Status: RESOLVE 2023, CH 78

As enacted, this resolve requires DHHS to submit 2 reports to the HHS Committee regarding efforts to implement secure children's psychiatric residential treatment facilities. The first report, to be submitted by January 2, 2024, relates to department progress in establishing increased rates and amending department rule Section 107. The 2nd report, to be submitted by July 1, 2024, relates to progress in implementing secure children's psychiatric residential treatment facility services and must include information about the provider, location of the facility, number of beds and estimated or actual date of opening. If no provider has been secured, the report must include the next steps for attracting a willing provider.

LD 190 An Act to Develop a Long-term Plan to Address Mental Health Needs in Rural Maine

Sponsor: *Sen. Stewart* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085363>

Health & Human Services

Committee Status: ONTP

Public Hearing:

Final Status: DEAD

This is a concept draft.

LD 196 An Act to Implement the Recommendations of the Probate and Trust Law Advisory Commission for Amending the Maine Uniform Probate Code and Related Provisions of Law

Sponsor: <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085407>

Judiciary

Committee Status: OTPA

Public Hearing: 1/31/2023 1:00 PM

Final Status: PL 2023 CH 4

Section 12 is the portion of this legislation of interest to hospitals. As enacted, this law would reinstate online access to guardianship records in the Probate Courts. Online access would be restored until April, 2025. The Committee also agreed to send a letter to the Probate and Trust Law Advisory Commission asking it to explore whether certain categories of groups – like hospitals, banks, the Attorney General's Office, should have access to the records once they go confidential in 2025.

LD 199 An Act to Improve the Health of Maine Residents by Removing Exclusions to the MaineCare Program

Sponsor: *Speaker Talbot* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085410>

Health & Human Services

Committee Status: DIV RPT

Public Hearing: 3/28/2023 2:00 PM

Final Status: DEAD

This bill provides MaineCare program coverage for noncitizen residents of this State 21 years of age or older with qualifying low incomes who are ineligible for coverage under the federal Medicaid program due to their immigration status.

LD 200 An Act to Require Medicaid Coverage for Certain Children Under 7 Years of Age

Sponsor: *Rep. Madigan* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085411>

Health & Human Services

Committee Status:

Public Hearing: 3/17/2023 10:00 AM

Final Status: DEAD

This bill requires the Department of Health and Human Services to provide Medicaid coverage to a child under 7 years of age, regardless of the child's family's nonfarm income official poverty line, if the child is not covered by an employer-sponsored or private health plan. It directs the department to seek any waivers and make amendments to the state Medicaid plan as needed, but does not make coverage contingent on federal approval.



LD 206 An Act to Make Supplemental Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2023

Sponsor: Rep. Sachs <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085418>

Appropriations & Financial Affairs

Committee Status:

Public Hearing:

Final Status: PL 2023, CH 3

Supplemental Budget Vehicle

LD 208 An Act Concerning Home Care Services

Sponsor: Rep. Craven <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085426>

Health & Human Services

Committee Status: APP TBL

Public Hearing: 4/10/2023 1:00 PM

Final Status: CARRY OVER

This bill requires the Department of Health and Human Services to establish a waiting list of individuals eligible for home care services under Section 19, Home and Community Benefits for the Elderly and Adults with Disabilities, and Section 96, Private Duty Nursing and Personal Care Services, and to publish certain information about the waiting list on its publicly accessible website. It requires the department to submit an annual report to the HHS Committee relating to the waiting list. The bill requires the department to contract with a 3rd-party entity to conduct assessments for children who have not attained 21 years of age who the department determines are eligible for private duty nursing and personal care services provided in a residential setting or other setting where normal life activities take place.

LD 223 Resolve, Directing the Department of Health and Human Services to Amend Its Rules Regarding Pharmacy Services

Sponsor: Rep. Zager <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085444>

Health & Human Services

Committee Status: APP TBL

Public Hearing: 2/15/2023 9:30 AM

Final Status: CARRY OVER

This resolve allows a pharmacist licensed under chapter 117 of Title 32 to be reimbursed for providing medication evaluation or consultation to a MaineCare member via telehealth or in a home visit when technology is not the most effective mode of consultation for services. It directs the Department of Health and Human Services to amend its MaineCare rules under Sections 19, 40 and 96 and Section 63 accordingly.

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

Sponsor: Rep. Zager <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085447>

Health Coverage, Insurance and Financial Services

Committee Status: DIV RPT

Public Hearing: 2/9/2023 1:00 PM

Final Status: PL 2023, CH 40

This law prohibits carriers from conditioning reimbursement, provider network or credentialing status for a physician, hospital or outpatient clinical practice on a physician's, hospital's or outpatient clinical practice's participation in a maintenance of certification program.



Maine Hospital Association

Maine Hospital Association
33 Fuller Road, Augusta, Maine 04330
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LD 225 An Act to Expand the Reimbursement to Hospitals for Days Awaiting Placement in Facilities

Sponsor: Rep. Perry <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085450>

Health & Human Services **Committee Status:** APP TBL
Public Hearing: 2/16/2023 1:00 PM **Final Status:** CARRY OVER

Current law requires the Department of Health and Human Services to provide reimbursement to hospitals other than critical access hospitals for each day after the 10th day that a MaineCare-eligible individual is in the care of a hospital while awaiting placement in a nursing facility. This bill provides that the department also is required to provide reimbursement to hospitals other than critical access hospitals for each day after the 10th day that a MaineCare-eligible individual is in the care of a hospital while awaiting placement in a residential care facility. The bill removes the provision that repeals the current law on December 31, 2023. (Note: MHA Bill)

LD 227 An Act Regarding Health Care in the State

Sponsor: Rep. Perry <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085433>

Health Coverage & Financial Services **Committee Status:** TABLED
Public Hearing: **Final Status:** CARRY OVER

This bill is a concept draft. This bill would enact provisions of law regarding health care in the State.

LD 228 An Act to Require Substance Use Disorder to Be Disclosed as a Cause of Death on Death Certificates

Sponsor: Rep. Madigan <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085437>

Health & Human Services **Committee Status:** APP TBL
Public Hearing: 2/15/2023 9:30 AM **Final Status:** RESOLVE 2023, CH 228

This bill requires that if substance use disorder is a factor in the cause or the proximate cause in the death of a person, the death certificate must include substance use disorder as a factor in the cause or proximate cause of the death and identify the substance underlying the disorder.

LD 231 An Act to Support the Maine Pediatric and Behavioral Health Partnership Program

Sponsor: Rep. Shagoury <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085446>

Health & Human Services **Committee Status:** OTPA
Public Hearing: 4/10/2023 10:00 AM **Final Status:** PL 2023, CH 339 (EMERG)

This law requires DHHS to maintain a currently existing statewide child psychiatry telehealth consultation service known as the Maine Pediatric and Behavioral Health Partnership Program to support primary care physicians who are treating children and adolescent patients and need assistance with diagnosis, care coordination and medication management or other necessary behavioral health questions to serve their patients.

LD 242 An Act to Clarify That Animal Health Products Are Exempt from the Perfluoroalkyl and Polyfluoroalkyl Substances Reporting Law

Sponsor: Sen. Baldacci <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085453>

Environment & Natural Resources **Committee Status:** ONTP
Public Hearing: 2/15/2023 10:00 AM **Final Status:** DEAD

This bill provides that certain health products intended for animals that are regulated under the Federal Food, Drug, and Cosmetic Act, the federal Virus-Serum Toxin Act or the Federal Insecticide, Fungicide, and Rodenticide Act are exempt from the notification requirements that generally apply to products containing perfluoroalkyl and polyfluoroalkyl substances.



LD 244 Resolve, Directing Maine Emergency Medical Services to Convene a Stakeholder Group to Explore Emergency Medical Services Career Pathways and Educational Opportunities in the State

Sponsor: *Sen. Curry* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085455>

Criminal Justice & Public Safety

Committee Status: DIV RPT

Public Hearing: 2/15/2023 10:00 AM

Final Status: RESOLVE 2023, CH 15

This resolve directs the Department of Public Safety, Maine Emergency Medical Services to convene a stakeholder group to explore career pathways and educational opportunities for emergency medical services providers in the State and to submit a report to the Legislature. Stakeholders include the Maine Community College System and the University of Maine System.

LD 251 Resolve, to Classify Employee Health Insurance as a Fixed Cost for MaineCare Reimbursement in Nursing Facilities

Sponsor: *Sen. Timberlake* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085462>

Health & Human Services

Committee Status: TABLED

Public Hearing: 2/7/2023 1:00 PM

Final Status: CARRY OVER

This resolve requires the Department of Health and Human Services to amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing Facilities, no later than January 1, 2024 to move health insurance costs for personnel from direct care and routine cost components to fixed costs components.

LD 252 An Act Relating to Long-term Care Pharmacies

Sponsor: *Sen. Vitelli* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085463>

Health Coverage, Insurance & Financial Services

Committee Status: ONTP

Public Hearing: 2/9/2023 1:00 PM

Final Status: DEAD

This bill creates a new category of pharmacy facility licensure for long-term care pharmacies. It defines terms regarding long-term care pharmacies for the Maine Pharmacy Act to mirror a proposed federal law. It increases the number of individuals on the Maine Board of Pharmacy from 7 to 8 members and requires that the additional member be a pharmacist working at a long-term care pharmacy at the time of appointment. It provides that a drug or pharmaceutical preparation may only be accepted back by a pharmacy to be dispensed again if the drug or preparation is packaged in an unbroken, sealed container.

LD 258 An Act Making Unified Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2023, June 30, 2024 and June 30, 2025. Biennial Budget

Sponsor: *Rep. Sachs* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085493>

Appropriations and Financial Affairs

Committee Status:

Public Hearing:

Final Status: PL 2023, CH 412

Hospital Tax is rebased in SFY 2025 to 2020; reduction in tax.

Hospital DRG rate reform in SFY 2025; increase in \$22M.

Inpatient Psychiatric Bed rate increases \$11M in SFY 2024 and \$11.4M in SFY 2025. Interesting to note that they may be building in an inflation adjustment of around 3%.

Nursing workforce (\$4M) with \$1M for Doctors for Maine's Future; \$1M for nurse faculty loans (including part-time) and \$2M for health care provider loan repayment program.

Ambulance relief program - \$31M

Nursing facility relief program

Nursing facility rate reform - \$27M

Entire substance of Paid Family Leave included in budget.



LD 263 An Act to Ensure Access to Family Planning Services

Sponsor: Rep. Sachs <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085548>

Health Coverage, Insurance & Financial Services **Committee Status:** DIV RPT
Public Hearing: 5/1/2023 9:00 AM **Final Status:** PL 2023, CH 343

Sponsor amendment: This bill provides that:

1. In reviewing any transfer of ownership or control of a health care facility or any new health care facility, the Commissioner of Health and Human Services may approve the transaction only if the commissioner determines that the project will not reduce access to any sexual and reproductive health services including abortion care.
2. The written health impact assessment by the Director of the Maine Center for Disease Control and Prevention required by current law must include without limitation an assessment of the impact on access to sexual and reproductive health services including abortion care.
3. The Commissioner may review and enforce compliance with the approval criterion added by this Act even after the 3-year time frame for other subsequent reviews has expired.

LD 275 Resolve, to Require the Maine Board of Pharmacy to Review Work Practices and Treatment of Pharmacists

Sponsor: Rep. O'Connell <https://legislature.maine.gov/LawMakerWeb/summary.asp?paper=HP0173&SessionID=15>

Health Coverage, Insurance & Financial Services **Committee Status:** APP TBL
Public Hearing: 2/16/2023 1:00 PM **Final Status:** DEAD

This resolve directs the Maine Board of Pharmacy to conduct a study to review the work practices and treatment of pharmacists, including, but not limited to, treatment by employers. The board is required to submit a report based on its study by December 6, 2023 to the Insurance Committee.

LD 278 An Act to Require Health Plans to Cover an Annual Mental Health Wellness Examination

Sponsor: Rep. Osher <https://legislature.maine.gov/LawMakerWeb/summary.asp?paper=HP0176&SessionID=15>

Health Coverage, Insurance & Financial Services **Committee Status:** ONTP
Public Hearing: 2/16/2023 1:00 PM **Final Status:** DEAD

The bill provides that health plans must provide coverage for an annual mental health wellness examination. The requirements apply beginning on January 1, 2024.

LD 282 An Act to Allow the Department of Health and Human Services to Authorize Standing Orders

Sponsor: Rep. Graham <https://legislature.maine.gov/LawMakerWeb/summary.asp?paper=HP0180&SessionID=15>

Health & Human Services **Committee Status:** OTP
Public Hearing: 2/16/2023 1:00 PM **Final Status:** PL 2023, CH 31

As enacted, this law allows the Department of Health and Human Services to authorize standing orders for the dispensing of vaccines and nonprescription drugs to MaineCare members, participants in the state-funded medical program for noncitizens, enrollees in the elderly low-cost drug program, certain qualified residents and persons receiving Cub Care to support access to preventive care and medically necessary services.

LD 299 An Act to Amend the Laws Regarding Health and Human Services

Sponsor: Rep. Meyer <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085578>

Health & Human Services **Committee Status:** TABLED
Public Hearing: **Final Status:** CARRY OVER

This concept draft is a placeholder filed by the HHS Committee House Chair.



LD 301 An Act to Exempt Employers from Providing Earned Paid Leave for Certain Employees

Sponsor: *Rep. Poirier* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085583>

Labor & Housing **Committee Status:** DIV RPT
Public Hearing: 2/16/2023 1:00 PM **Final Status:** DEAD

This bill exempts substitute teachers, other substitute employees, coaches and temporary employees in school administrative units and part-time or temporary employees in a retail trade or a service-related industry from being covered by the law that requires employers to offer earned paid leave to employees.

LD 302 An Act to Ensure Sufficient Rates for Behavioral Health Services

Sponsor: *Rep. Madigan* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085587>

Health & Human Services **Committee Status:**
Public Hearing: **Final Status:** DEAD

This concept draft would direct DHHS to increase the Medicaid rates in Section 65, for medication management, home and community-based treatment, multi-systemic therapy and functional family therapy and Section 17, for assertive community treatment.

LD 303 An Act to Provide Health Insurance, Reduce Administrative Burdens, Reduce Costs and Improve Health Outcomes

Sponsor: *Rep. Pringle* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085589>

Health Coverage, Insurance & Financial Services **Committee Status:** ONTP
Public Hearing: 5/9/2023 1:00 PM **Final Status:** DEAD

This concept draft has no content

LD 307 An Act to Lower the State's Health Care Costs

Sponsor: *Rep. Morris* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085594>

Health & Human Services **Committee Status:** TABLED
Public Hearing: **Final Status:** CARRY OVER

This concept draft has no content.

LD 312 An Act to Improve Health Outcomes by Expanding the Perinatal Workforce to Include Professionals Such as Community Health Workers and Doulas and to Provide MaineCare Reimbursement for Services

Sponsor: *Sen. Carney* <https://legislature.maine.gov/LawMakerWeb/summary.asp?paper=SP0133&SessionID=15>

Health & Human Services **Committee Status:**
Public Hearing: **Final Status:** DEAD

This concept draft has no content.

LD 321 An Act to Create a Bill of Rights for Temporary Workers

Sponsor: *Sen Tipping* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085557>

Labor & Housing **Committee Status:**
Public Hearing: **Final Status:** CARRY OVER

This concept draft has no content.



LD 324 An Act to Prevent the Wrongful Firing of Maine Workers

Sponsor: *Sen. Tipping* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085560>

Labor & Housing

Committee Status:

Public Hearing:

Final Status: CARRY OVER

This concept draft proposes to enact the Secure Jobs Act, which establishes a framework for 6 employee discipline and discharge, prohibits the unjust discharge of an employee, requires 7 employers to use progressive discipline measures, limits the use of electronic monitoring, 8 provides for severance pay, provides remedies for wrongfully discharged employees and 9 authorizes the recovery of damages.

LD 329 An Act to Ensure Health Care for All Maine Residents

Sponsor: *Sen/ Tipping* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085569>

Health Coverage, Insurance & Financial Services

Committee Status: APP TBL

Public Hearing: 5/9/2023 1:00 PM

Final Status: CARRY OVER

As amended, the bill establishes the Blue Ribbon Commission on Guaranteed Health Care to consider, evaluate and make recommendations for creating a system of health care that guarantees all residents of the State affordable, quality health care. One seat on the Commission is set-aside for hospitals.

LD 353 An Act Concerning Substance Use Disorder, Treatment, Recovery, Prevention and Education

Sponsor: *Sen. Farrin* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085616>

Health & Human Services

Committee Status: TABLED

Public Hearing:

Final Status: CARRY OVER

This bill would improve and expand treatment and recovery services for persons with substance use disorder, strengthen prevention efforts and modernize education requirements for clinicians.

LD 361 An Act to Increase the Reimbursement for Electronic Consultations Through Medicaid

Sponsor: *Sen. Baldacci* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085636>

Health & Human Services

Committee Status: APP TBL

Public Hearing: 5/3/2023 1:00 PM

Final Status: CARRY OVER

This concept draft has no content.

LD 366 An Act to Promote Workforce Development

Sponsor: *Sen. Curry* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085641>

Innovation, Development, Economic Advancement & Business

Committee Status: ONTP

Public Hearing: 3/28/2023 1:00 PM

Final Status: DEAD

This concept draft has no content.

LD 372 An Act to Increase Enforcement and Accountability for Wage and Hour Violations

Sponsor: *Sen. Tipping* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085649>

Labor & Housing

Committee Status:

Public Hearing:

Final Status: CARRY OVER

This concept draft has no content.



LD 373 An Act to Improve Labor Conditions for Maine Workers

Sponsor: *Sen. Tipping* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085650>

Labor & Housing

Committee Status:

Public Hearing:

Final Status: CARRY OVER

This concept draft has no content.

LD 378 Resolve, to Eliminate the So-called Fail First Requirement for Children's Residential Services for Certain Individuals Whose Needs Are Unable to Be Met with Home and Community-based Services by Expanding Eligibility for Those Individuals

Sponsor: *Rep. Crockett* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085665>

Health & Human Services

Committee Status: ONTP

Public Hearing:

Final Status: DEAD

This resolve directs the Department of Health and Human Services to amend its rules regarding eligibility for children's residential services to include individuals who are unable to access services in the home or community or who are hospitalized and unable to secure clinical documentation that the individual's treatment needs cannot be met by outpatient or home and community-based treatment models and in other circumstances in which an individual cannot be safely maintained at home or in the community.

LD 420 An Act to Fund a Health Program for Medical Professionals

Sponsor: *Rep. Pringle* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085764>

Health Coverage, Insurance & Financial Services

Committee Status:

Public Hearing: 4/27/2023 1:00 PM

Final Status: DEAD

This concept draft proposes to provide funds for a health program for medical professionals to assist licensing boards that provide monitoring services to health care professionals with illnesses or behavioral challenges that may affect their ability to practice.

LD 424 An Act Making Certain Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government

Sponsor: *Rep. Sachs* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085774>

Appropriations & Financial Affairs

Committee Status:

Public Hearing:

Final Status: PL 2023, CH 17

Baseline Budget (SFY 24-25); no changes to hospital issues.

LD 430 Resolve, Directing the Department of Health and Human Services to Promote Translation and Interpretation Services in Health Care Setting

Sponsor: *Rep. Madigan* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085753>

Health & Human Services

Committee Status: APP TBL

Public Hearing: 3/17/2023 10:00 AM

Final Status: RESOLVE 2023, CH 106

This resolve requires the Maine Center for Disease Control and Prevention's office of population health equity to partner with hospitals and health care provider associations to gather information regarding translation and interpretation services available in health care settings across the State.



LD 432 An Act to Clarify MaineCare Program Requirements Regarding Certain High-risk Health Care Providers

Sponsor: Rep. Madigan <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085756>

Health & Human Services

Committee Status: APP TBL

Public Hearing: 3/17/2023 10:00 AM

Final Status: PL 2023, CH 432

This bill clarifies the MaineCare program requirements with regard to certain high-risk providers (new home health, new DMEPOS, new MDPP, new or non-continuously certified opioid treatment programs, new SNFs or SNFs with a change of owner). It also requires a person with a certain level of ownership interest in a high-risk provider to submit to a fingerprint-based criminal history record background check.

LD 435 Resolve, to Ensure the Provision of Medically Necessary Behavioral Health Care Services for Children in Their Homes and Communities

Sponsor: Rep. Gramlich <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085760>

Health & Human Services

Committee Status: TABLED

Public Hearing: 3/29/2023 1:00 PM

Final Status: CARRY OVER

This resolve directs the Department of Health and Human Services to develop a plan by October 1, 2023 to ensure that medically necessary home-based and community-based behavioral health care services are available in the scope, intensity and duration necessary to meet the needs of children and their families in the State.

LD 445 Resolve, Directing the Department of Health and Human Services to Apply for a Waiver from the Federal Government for the Medicaid Limitation on Payment to a Facility with More Than 16 Inpatient Beds for Psychiatric Treatment

Sponsor: Sen. Baldacci <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085751>

Health & Human Services

Committee Status: APP TBL

Public Hearing: 3/17/2023 10:00 AM

Final Status: CARRY OVER

This resolve requires the Department of Health and Human Services to apply to the United States Department of Health and Human Services for a waiver to allow Medicaid covered services to individuals who are inpatients in a hospital, nursing facility or other institution with more than 16 beds that is primarily engaged in providing diagnosis, treatment or care to persons with mental disease.

LD 448 An Act to Improve Access to Behavioral Health Services for Maine Families and Children on MaineCare and to Increase the Number of Behavioral Health Professionals in the State

Sponsor: Rep. Skold <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085784>

Health & Human Services

Committee Status:

Public Hearing:

Final Status: DEAD

This concept draft proposes to enact measures to improve access to behavioral health services for families and children on MaineCare and to increase the number of behavioral health professionals in the State.

LD 451 An Act to Ensure Transparent and Accountable Temporary Nurse Agencies

Sponsor: Sen. Baldacci <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085805>

Health & Human Services

Committee Status: APP TBL

Public Hearing: 3/16/2023 2:00 PM

Final Status: PL 2023, CH 434

This bill requires temporary nurse agencies to renew registration annually and to update the registration if a temporary nurse agency changes ownership, operation or location. The bill increases the cost of registration for a temporary nurse agency from \$25 to \$1,000. The bill requires that temporary nurse agencies ensure that each employee it refers to a provider for a position meets the state and federal qualification requirements for that position, and maintains records to that effect. This bill prohibits agencies from requiring employees to recruit other employees. The bill requires temporary nurse agencies to submit an annual report to the Department of Health and Human Services, which is then required to submit a summary report to the Joint Standing Committee on Health and Human Services



LD 459 An Act to Update the Procedures for Issuance of Orders Related to Involuntary Hospitalizations

Sponsor: *Sen. Keim* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085817>

Judiciary **Committee Status:** DIV RPT
Public Hearing: 3/8/2023 1:00 PM **Final Status:** PL 2023, CH 66

As enacted, this law authorizes the use of an electronic copy of the documents associated with requesting or issuing an order for involuntary commitment.

LD 463 Resolve, to Ensure Continued MaineCare Coverage for Persons Formerly in Foster Care Until They Attain 27 Years of Age

Sponsor: *Rep. Madigan* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085835>

Health & Human Services **Committee Status:**
Public Hearing: 3/17/2023 10:00 AM **Final Status:** DEAD

This resolve requires the Department of Health and Human Services to amend its rules by November 6, 2024 to provide MaineCare coverage for a person formerly placed in foster care until the person attains 27 years of age.

LD 465 An Act to Provide for an Electronic Permit for the Disposition of Human Remains

Sponsor: *Rep. Thorne* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085840>

Health & Human Services **Committee Status:** OTP
Public Hearing: 4/4/2023 10:00 AM **Final Status:** PL 2023, CH 67

As enacted, this law authorizes a funeral director or authorized person present at a burial or crematory in this State to electronically affirm the disposition of human remains.

LD 472 An Act to Support Certified Community Behavioral Health Clinic Projects

Sponsor: *Rep. Madigan* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085838>

Health & Human Service **Committee Status:** APP TBL
Public Hearing: 4/5/2023 1:00 PM **Final Status:** CARRY OVER

This bill provides \$4 million in one-time funding to bridge the gap for grants that are ending for mental health organizations participating in certified community behavioral health clinic projects.

LD 474 An Act to Improve Collaboration Between Mandatory Reporters and Law Enforcement in the Investigation of Alleged Child Abuse and Neglect

Sponsor: *Rep. Meyer* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085845>

Health & Human Services **Committee Status:** OTP
Public Hearing: 3/15/2023 1:00 PM **Final Status:** PL 2023, CH 146

This bill requires that a member of the staff of a public or private medical institution, agency or facility or person in charge of the institution, agency or facility or the designated agent who made a mandated report disclose the same information the member or person reported to the Department of Health and Human Services to a law enforcement officer upon request of the law enforcement officer. The bill also provides immunity for a person who made a report of suspected abuse or neglect who is participating in good faith in a law enforcement investigation or criminal justice proceeding relating to suspected abuse or neglect.



LD 475 An Act to Simplify and Clarify the Licensing of Assisted Housing Facilities

Sponsor: *Rep. Meyer* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085848>

Health & Human Services

Committee Status: OTPA

Public Hearing: 3/22/2023 1:00 PM

Final Status: PL 2023, CH 176

This bill accomplishes the following. 1. It replaces the term "assisted housing program" with the term "assisted housing facility." 2. It replaces the term "assisted living program" with the term "assisted living facility." 3. It amends the definition of "assisted housing services" to include medication management and nursing services and removes those services from the definition of "assisted living services." 4. It amends the definition of "residential care facility" to clarify which licensed entities are excluded from the definition. 5. It provides that the term of the license for an assisted housing facility is 2 years.

LD 513 An Act Regarding Overtime Protections for Certain Maine Workers

Sponsor: *Sen. Tipping* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280085940>

Labor & Housing

Committee Status:

Public Hearing: 5/25/2023 1:00 PM

Final Status: CARRY OVER

This bill annually raises the minimum salary that an employee who works in an executive, administrative or professional capacity must earn in order for that employee to be exempt from the laws governing the minimum wage and overtime pay until it is, when converted to an annual rate, greater than 4,500 times the State's minimum hourly wage on January 1, 2026. It provides that the overtime pay requirement applicable to employees of nonprofit corporations may be met through compensatory time agreements. It directs the Department of Labor to adopt routine technical rules, including rules regarding compensatory time for employees of nonprofit corporations.

LD 524 An Act Requiring the Installation of Electric Vehicle Charging Stations in New Commercial and Multifamily Parking Lot Construction

Sponsor: *Rep. Runte* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086029>

Energy, Utilities and Technology

Committee Status: DIV RPT

Public Hearing:

Final Status: DEAD

This amendment replaces the bill and requires the Technical Building Codes and Standards Board, by January 1, 2024, to adopt by rule and include in the Maine Uniform Building and Energy Code standards for certain parking facilities. The standards must require that when a parking facility with 10 or more parking spaces is constructed or a parking facility with 20 or more parking spaces is enlarged to increase the number of parking spaces by 30 percent or more, a certain percentage of the parking spaces are made charger-ready. Hospitals would have to set aside 10% of their spots as charger-ready. To make a spot charger-ready, the spot has to be: equipped with a cabinet, box or enclosure connected by conduit to a power source that provides adequate electrical capacity to facilitate the future installation of an electric vehicle charging station, including, but not limited to, a level two charger or a direct current fast charger.

LD 530 An Act to Facilitate the Installation of Safe Haven Baby Boxes at Hospitals, Law Enforcement Facilities and Fire Departments

Sponsor: *Rep. White* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086048>

Judiciary

Committee Status: DIV RPT

Public Hearing: 3/2/2023 1:00 PM

Final Status: DEAD

This bill repeals the rule-making requirement for the provision of law regarding the safe design, installation and use of safe haven baby boxes.



LD 535 An Act Regarding Consent for Gender-affirming Hormone Therapy for Certain Minors

Sponsor: Rep. Sheehan <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086057>

Judiciary **Committee Status:** DIV RPT
Public Hearing: 5/12/2023 1:00 PM **Final Status:** PL 2023, CH 413

As amended, the legislation establishes the process by which a minor who is mentally and physically competent to give consent may consent to gender-affirming hormone therapy and follow-up care if the minor is at least 16 years of age, has been diagnosed with gender dysphoria, is experiencing or expected to experience harm from not receiving gender-affirming hormone therapy, has discussed the gender dysphoria diagnosis with the minor's parent or guardian but that parent or guardian refuses to support treatment of the gender dysphoria and receives certain detailed information and counseling from a health care professional prior to providing informed written consent. Under the amendment, only a person qualified by training and experience to provide and monitor the provision of gender-affirming hormone therapy who is authorized by law to prescribe medication and who is licensed by the Board of Licensure in Medicine, the Board of Osteopathic Licensure or the State Board of Nursing may obtain the minor's informed written consent to and provide gender-affirming hormone therapy to the minor.

LD 549 An Act Regarding a Discovery Rule for the Statute of Limitations for Cases of Medical Negligence

Sponsor: Rep. Moonen <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086061>

Judiciary **Committee Status:**
Public Hearing: 4/6/2023 1:00 PM **Final Status:** DEAD

Under current law, the statute of limitations on a medical malpractice claim begins to run on the date of the act or omission that gave rise to the injury, unless the medical malpractice claim is based on the leaving of a foreign object in the body. The statute of limitations does not begin to run on a medical malpractice claim based on the leaving of a foreign object in the body until the plaintiff discovers or reasonably should have discovered the harm. This bill provides that the statute of limitations does not begin to run on any medical malpractice claim, regardless of whether the claim is based on the leaving of a foreign object in the body, until the plaintiff discovers or reasonably should have discovered the harm. The bill also makes a technical change to remove an obsolete cross-reference in the law.

LD 590 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Right to Health Care

Sponsor: Sen. Hickman <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086157>

Health & Human Services **Committee Status:** ONTP
Public Hearing: 5/9/2023 1:00 PM **Final Status:** DEAD

This resolution proposes a constitutional amendment to establish that health care, including care to prevent and treat physical and mental illness, is the right of the people and necessary to ensure the strength of the State and requires the Legislature to provide by law the implementation and enforcement of this right.

LD 597 An Act to Improve Conditions for People Living in Recovery Residences by Requiring Approved Discharge and Transfer Policies

Sponsor: Rep. Madigan <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086175>

Health & Human Services **Committee Status:** OTPA
Public Hearing: 4/3/2023 10:00 AM **Final Status:** PL 2023, CH 249

As enacted, the law requires that a recovery residence discharge and transfer policy must be approved by a credentialing entity that is recognized by the department. It also clarifies that a person who refuses to leave a recovery residence after a discharge transfer may be ordered to leave the premises by the recovery residence owner or operator or by a law enforcement officer.



LD 600 An Act to Expand Availability of Naloxone Hydrochloride

Sponsor: Rep. Craven <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086181>

Health & Human Services

Committee Status: OTP

Public Hearing: 4/3/2023 10:00 AM

Final Status: PL 2023, CH 71

This bill allows an overdose prevention program, with the express consent of a municipality, to provide and maintain naloxone hydrochloride in a visible and publicly accessible wall-mounted box or other container in municipal places to be used by a member of the public in response to an opioid-related drug overdose. The bill also provides immunity from criminal and civil liability to municipalities and overdose prevention programs for providing or maintaining the naloxone hydrochloride containers.

LD 601 An Act to Reduce the Shortage of Municipal Emergency Medical Services Personnel by Removing Certain Vaccination Requirements

Sponsor: Rep. Moriarty <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086185>

Health & Human Services

Committee Status: DIV RPT

Public Hearing: 4/24/2023 10:00 AM

Final Status: DEAD

This bill allows emergency medical services persons to provide treatment within the scope of their licenses without having been vaccinated against the COVID-19 virus or the influenza virus.

LD 615 An Act to Ensure Access to Newly Born Male Infant Circumcision by Requiring MaineCare and Health Insurance Coverage

Sponsor: Rep. Murphy <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086195>

Health Coverage, Insurance & Financial Services

Committee Status:

Public Hearing: 3/23/2023 1:00 PM

Final Status: DEAD

Part A of this bill requires health insurance coverage for newly born male infant circumcision. The requirements apply beginning on January 1, 2024.

Part B of this bill requires the MaineCare program to provide reimbursement for the costs of newly born male infant circumcision beginning January 1, 2024.

LD 616 An Act to Protect Health Care Professionals Providing Reproductive Health Care Services

Sponsor: Rep. Kuhn <https://legislature.maine.gov/bills/getPDF.asp?paper=HP0393&item=1&snum=131>

Health Coverage, Insurance & Financial Services

Committee Status:

Public Hearing: 5/1/2023 9:00 AM

Final Status: PL 2023, CH 345

This 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 abortion or other reproductive health care services on the sole basis that the health care professional is acting in violation of another state's law or is subject to an adverse action against the health care professional's license in another state.

LD 637 An Act to Promote the Use of Free Annual Wellness Visits by Ensuring Proper Medical Billing

Sponsor: Rep. Madigan <https://legislature.maine.gov/bills/getPDF.asp?paper=HP0414&item=1&snum=131>

Health Coverage, Insurance & Financial Services

Committee Status: DIV RPT

Public Hearing: 3/7/2023 1:30 PM

Final Status: PL 2023, CH 80

As enacted, the law requires health care providers and health insurance carriers to provide notice about services included in annual wellness visits and that some services performed during a wellness visit and services related to a specific health condition may have an out-of-pocket cost. The requirements for health insurance carriers apply beginning January 1, 2024.



LD 663 An Act to Require Health Insurance Coverage for Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections and Pediatric Acute-onset Neuropsychiatric Syndrome

Sponsor: Rep. Roeder <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086448>

Health Coverage, Insurance & Financial Services **Committee Status:**
Public Hearing: 3/28/2023 1:00 PM **Final Status:** CARRY OVER

The requirements would apply to all individual and group policies and contracts issued or renewed on or after January 1, 2024.

LD 667 An Act to Impose a Tax Surcharge on Certain Incomes

Sponsor: Rep. Collings <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086454>

Taxation **Committee Status:** ONTP
Public Hearing: 3/23/2023 1:00 PM **Final Status:** DEAD

This bill establishes an income tax surcharge of 3% on taxable income in excess of \$1,000,000 and 6% on taxable income in excess of \$10,000,000 and requires that the revenue collected from the surcharge must be spent on public kindergarten to grade 12 education and rural economic development.

LD 676 An Act to Protect Financial Privacy

Sponsor: Rep. Andrews <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086471>

Judiciary **Committee Status:**
Public Hearing: 3/7/2023 1:00 PM **Final Status:** DEAD

This bill repeals the exception in current law that permits a financial institution or credit union authorized to do business in this State to disclose financial records about a customer without a lawful subpoena, summons, warrant or court order in response to a request for information related to establishing, modifying or enforcing tax liabilities. The bill also clarifies that a financial institution or credit union may not disclose records to any federal agency unless the records are disclosed pursuant to a lawful subpoena, summons, warrant or court order requested by the agency.

LD 706 An Act to Improve Access to Specialty Health Care Providers by Reducing Copayments

Sponsor: Rep. Morris <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086493>

Health Coverage, Insurance & Financial Services **Committee Status:** ONTP
Public Hearing: 3/7/2023 1:30 PM **Final Status:** DEAD

This bill limits the amount of the copayment that carriers offering health plans in this State may impose for a health care service rendered by a health care provider, other than a primary care provider, to no less than the copayment for primary care services and to no more than 50% of the allowed amount under a carrier's health plan for that health care service. The requirements apply to health plans beginning on or after January 1, 2024.

LD 717 An Act to Adopt the Audiology and Speech-Language Pathology Interstate Compact

Sponsor: Sen. Stewart <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086365>

Health Coverage, Insurance & Financial Services **Committee Status:** OPA
Public Hearing: 3/21/2023 1:00 PM **Final Status:** PL 2023, CH 310

As enacted, this law adopts the Audiology and Speech-Language Pathology Interstate Compact, an interstate compact designed to facilitate the practice of audiology and speech-language pathology across state boundaries.



LD 722 An Act to Expedite the Health Insurance Referral Process for Specialists by Allowing Referrals from Urgent Care Facilities

Sponsor: *Sen. Reny* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086374>

Health Coverage, Insurance & Financial Services **Committee Status:** DIV RPT
Public Hearing: 3/7/2023 1:30 PM **Final Status:** PL 2023, CH 119

As enacted, the law prohibits a health insurance carrier from denying payment for any behavioral health care service or physical therapy service covered under an enrollee's health plan based solely on the basis that the enrollee's referral was not made by the enrollee's primary care provider as long as the enrollee's referral is made by a provider during an urgent care visit and the provider notifies the enrollee's primary care provider of the referral. The requirements apply beginning January 1, 2024.

LD 723 An Act to Protect Consumers by Prohibiting Discrimination by Insurers Based on Certain Information

Sponsor: *Pres. Jackson* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086376>

Health Coverage, Insurance & Financial Services **Committee Status:**
Public Hearing: **Final Status:** DEAD

This bill prohibits an insurer from using information disclosed in a consumer credit report to charge a higher premium rate based on the insured person's race, ethnicity, religion, gender, income, lack of credit history or zip code.

LD 738 An Act to Establish a Paid Family and Medical Leave System

Sponsor: *Sen. Daughtry* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086411>

Labor & Housing **Committee Status:**
Public Hearing: **Final Status:** CARRY OVER

This concept draft has no content.

LD 741 An Act to Prohibit Training Repayment Agreements by Employers

Sponsor: *Sen. Tipping* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086416>

Labor & Housing **Committee Status:** APP TBL
Public Hearing: 3/21/2023 1:00 PM **Final Status:** CARRY OVER

This bill specifies that an employer may not require an employee to enter into an agreement that requires the employee to reimburse the employer for training costs related to the employment if the employee leaves employment with that employer. The Department of Labor is required to enforce this provision.

LD 757 An Act to Expand Telemonitoring for MaineCare Patients

Sponsor: *Sen. Guerin* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086436>

Health & Human Services **Committee Status:** OTPA
Public Hearing: 4/14/2023 10:00 AM **Final Status:** RESOLVE 2023, CH 84

As enacted, this Resolve directs DHHS to review its MaineCare reimbursement of telemonitoring services and of ultrasound procedures and fetal nonstress tests performed remotely in a residence or other off-site location through telehealth. The amendment also requires the department to submit its recommendations to the Health and Human Services Committee by January 10, 2024.

LD 759 An Act to Reduce Out-of-pocket Prescription Drug Expenses for Coinsurance

Sponsor: *Sen. Baldacci* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086438>

Health Coverage, Insurance & Financial Services **Committee Status:** DIV RPT
Public Hearing: 3/7/2023 1:30 PM **Final Status:** DEAD

This bill reduces from \$3,500 to \$1,500 per year the maximum out-of-pocket limit for prescription drugs subject to coinsurance that a carrier may establish.



LD 767 An Act to Provide Uniform Protections from Retaliation for Maine Workers in Connection with the Exercise of Rights Protected Under the Laws Governing Employment Practices

Sponsor: *Sen. Carney* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086560>

Labor & Housing

Committee Status: DIV RPT

Public Hearing: 3/23/2023 2:00 PM

Final Status: PL 2023, CH 282

This law provides that an employer that takes action intended to prevent or penalize a person from exercising rights protected under the laws governing employment practices commits a civil violation for which a fine of not less than \$500 nor more than \$1,000 for each violation may be adjudged, in addition to any other remedy available under the laws governing employment practices. The Department of Labor and the Attorney General may file a civil action to enforce the provisions of the bill.

LD 776 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish the Right to Bodily Autonomy

Sponsor: *Sen. Hickman* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086569>

Judiciary

Committee Status: ONTP

Public Hearing: 5/12/2023 9:00 AM

Final Status: DEAD

This resolution proposes to amend the Constitution of Maine by declaring that every person has a natural, inherent and inalienable right to bodily autonomy.

The referenda question would read:

"Do you favor amending the Constitution of Maine to declare that every person has a natural, inherent and inalienable right to bodily autonomy?"

LD 780 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Protect Personal Reproductive Autonomy

Sponsor: *Sen. Vitelli* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086573>

Judiciary

Committee Status:

Public Hearing:

Final Status: CARRY OVER

"Do you favor amending the Constitution of Maine to declare that every person has a right to personal reproductive autonomy?"

LD 781 An Act to Protect Nursing Home Residents by Requiring Nursing Homes to Provide Silent Bed Alarms for Residents with Dementia

Sponsor: *Sen. Chipman* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086574>

Health & Human Services

Committee Status: ONTP

Public Hearing: 3/27/2023 10:00 AM

Final Status: DEAD

This bill requires all licensed nursing facilities to prevent injury or death by providing silent bed alarms that directly signal nursing home staff to residents who have dementia and are unable to use a call button if they fall out of a bed or chair. The bill also directs the Department of Health and Human Services to adopt rules to implement this provision.

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

Sponsor: *Rep. Pringle* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086593>

Health Coverage, Insurance & Financial Services

Committee Status: TABLED

Public Hearing: 5/2/2023 1:00 PM

Final Status: CARRY OVER

This concept draft has no content.



LD 813 Resolve, to Study Methods to Increase Access to Medication-assisted Treatment for Substance Use Disorder

Sponsor: Rep. Eaton <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086598>

Health & Human Services **Committee Status:** ONTP
Public Hearing: 4/3/2023 10:00 AM **Final Status:** DEAD

This resolve directs the Office of Policy Innovation and the Future to convene a working group to study the feasibility of and barriers to establishing a mobile methadone clinic in the State and other methods to increase local access to medication-assisted treatment for substance use disorder. It requires the office to submit a report related to the study, including recommendations and any suggested legislation, to the Health and Human Services Committee by December 6, 2023.

LD 821 Resolve, to Improve Access to Neurobehavioral Services

Sponsor: Rep. Lemelin <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086595>

Health & Human Services **Committee Status:**
Public Hearing: 3/21/2023 1:00 PM **Final Status:** CARRY OVER

This resolve requires the Department of Health and Human Services to provide by September 1, 2024 16 new neurobehavioral beds in one or more neurobehavioral centers to serve individuals with significant behavioral challenges and complex medical needs who need evaluation and short-term treatment before transitioning to a long-term care environment either in the community or in a long-term care facility.

LD 840 An Act to Support Individuals with Personality Disorder or Emotional Dysregulation by Requiring Reimbursement Under the MaineCare Program

Sponsor: Rep. Madigan <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086626>

Health & Human Services **Committee Status:** APP TBL
Public Hearing: 4/5/2023 1:00 PM **Final Status:** CARRY OVER

This bill requires the Department of Health and Human Services, beginning January 1, 2024, to reimburse under the MaineCare program for the treatment of personality disorder and emotional dysregulation. The bill also requires the department to establish a bundled reimbursement rate for the treatment of MaineCare members diagnosed with personality disorder or emotional dysregulation.

LD 843 An Act to Improve Income Tax Progressivity by Establishing a New Top Individual Income Tax Rate

Sponsor: Rep. Osher <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086631>

Taxation **Committee Status:** DIV RPT
Public Hearing: **Final Status:** DEAD

This bill establishes an additional income tax bracket with a tax rate of 11.15% for taxable income exceeding \$125,000 for single individuals and married persons filing separately, \$150,000 for heads of households and \$250,000 for married persons filing jointly and surviving spouses.

LD 844 An Act to Protect the Practice of Certain Cardiovascular Professionals

Sponsor: Rep. Millett <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086633>

Health Coverage, Insurance & Financial Services **Committee Status:** OTPA
Public Hearing: 3/16/2023 1:00 PM **Final Status:** PL 2023, CH 100

This bill ensures that cardiovascular professionals who have been formally trained and issued credentials by a nationally recognized association of cardiovascular professionals may perform actions necessary to assist a physician while the physician is performing cardiac catheterization or electrophysiology procedures.



LD 856 An Act to Reduce Recurring Workplace Harassment and Provide Consequences for Serial Offenders

Sponsor: *Rep. Osher* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086689>

Labor & Housing

Committee Status: ONTP

Public Hearing:

Final Status: DEAD

This concept draft has no content.

LD 858 An Act to Require the State to Invest in Federal Certified Community Behavioral Health Clinics

Sponsor: *Sen. Baldacci* <https://legislature.maine.gov/LawMakerWeb/summary.asp?paper=SP0355&SessionID=15>

Health & Human Services

Committee Status:

Public Hearing:

Final Status: DEAD

This concept draft has no content.

LD 859 Resolve, to Assess, Develop, Implement and Fund the Reuse of Existing Facilities at Dorothea Dix Psychiatric Center

Sponsor: *Sen. Baldacci* <https://legislature.maine.gov/LawMakerWeb/summary.asp?paper=SP0356&SessionID=15>

Health & Human Services

Committee Status: OTPA

Public Hearing: 5/8/2023 10:00 AM

Final Status: RESOLVE 2023, CH 75

As enacted, the resolve directs the Department of Administrative and Financial Services to establish a stakeholder group to examine potential future beneficial public uses of currently unused structures at the Dorothea Dix campus. It requires the department to submit its recommendations to the Health and Human Services Committee by January 10, 2024.

LD 882 An Act to Allow Nonmunicipal Emergency Medical Services Providers to Be Considered State Employees for Purposes of Certain Benefits

Sponsor: *Rep. Salisbury* <https://legislature.maine.gov/bills/getPDF.asp?paper=HP0548&item=1&snum=131>

Labor & Housing

Committee Status: ONTP

Public Hearing: 3/28/2023 1:30 PM

Final Status: DEAD

This bill allows an ambulance service or nontransporting emergency medical service to participate in the State's Participating Local District Consolidated Retirement Plan as a local district so that its employees who are emergency medical services providers may receive state retirement benefits, death benefits and disability retirement benefits. The bill also allows these employees to be eligible for the state group health plan.

LD 883 An Act to Exempt Emergency Medical Services Community Paramedicine Programs from Home Health Care Provider Licensing Requirements Under Certain Circumstances

Sponsor: *Rep. Salisbury* <https://legislature.maine.gov/bills/getPDF.asp?paper=HP0549&item=1&snum=131>

Health & Human Services

Committee Status: OTPA

Public Hearing: 3/22/2023 1:00 PM

Final Status: PL 2023, CH 195

As enacted, this law adds community paramedicine services to the list of services exempted from home health licensing and includes conditions for the exemption. It also directs the Emergency Medical Services' Board to adopt rules consistent with the home health exemption conditions.



LD 899 An Act to Authorize Vaccine Administration by Pharmacy Technicians and Reduce Vaccine Administration Training Requirements for Pharmacists

Sponsor: Rep. Nutting <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086812>

Health Coverage, Insurance & Financial Services **Committee Status:** OTPA
Public Hearing: 3/16/2023 1:00 PM **Final Status:** PL 2023, CH 245 (EMERG)

As enacted, the law authorizes pharmacy technicians to administer vaccines under the direct supervision of a pharmacist if they have met certain specified training requirements and have been issued a certification of administration by the Maine Board of Pharmacy. The amendment authorizes a fee to be established for the certificate of administration.

LD 902 An Act to Repeal So-called MaineCare Expansion

Sponsor: Rep. Lemelin <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086823>

Health & Human Services **Committee Status:** DIV RPT
Public Hearing: 5/8/2023 10:00 AM **Final Status:** DEAD

This bill repeals the provision of law that expanded the MaineCare program pursuant to Initiated Bill 2017, chapter 1.

LD 904 An Act Supporting the Rural Health Care Workforce in Maine

Sponsor: Rep. Osher <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086808>

Health & Human Services **Committee Status:** APP TBL
Public Hearing: **Final Status:** CARRY OVER

This bill establishes the Maine Rural Health Care Education Workforce Fund with an ongoing \$500,000 appropriation to support primary care and health professions workforce development in rural parts of the State.

LD 906 An Act to Ensure Physicians Receive Full Diagnostic Test Data Concerning Tick-borne Diseases

Sponsor: Rep. Shagoury <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086813>

Health & Human Services **Committee Status:** TABLED
Public Hearing: 3/22/2023 1:00 PM **Final Status:** CARRY OVER

This bill requires a medical laboratory that reports the results of a diagnostic test for a tick-borne disease, including Lyme disease, babesiosis, anaplasmosis and ehrlichiosis, to report all information gathered in the process of producing the test result, including the specific data used to determine the result.

LD 908 Resolve, to Establish a Comprehensive Integrated Co-occurring Behavioral Health Home Model Within the MaineCare Program

Sponsor: Rep. Stover <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086819>

Health & Human Services **Committee Status:** DIV RPT
Public Hearing: 4/5/2023 1:00 PM **Final Status:** DEAD

This resolve directs the Department of Health and Human Services to establish a new health home model that includes services for substance use disorder and co-occurring mental health diagnoses in one model and a new payment model.

LD 914 An Act to Amend the Duties of the Office of Affordable Health Care

Sponsor: Rep. Meyer <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086822>

Health & Human Services **Committee Status:** OTPA
Public Hearing: 3/21/2023 1:00 PM **Final Status:** PL 2023, CH 94

As enacted, the law directs the Office of Affordable Health Care to consider the impact of emerging technology in health care treatment when analyzing health care spending trends.



LD 915 Resolve, to Establish the Blue Ribbon Commission to Study the Organization of and Service Delivery by the Department of Health and Human Services

Sponsor: Rep. Shagoury <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086839>

Health & Human Services

Committee Status: STUDY TBL

Public Hearing: 5/12/2023 11:00 AM

Final Status: PL 2023, CH 98

This resolve creates the Blue Ribbon Commission to Study the Organization of and Service Delivery by the Department of Health and Human Services to examine the organizational structure of the Department of Health and Human Services and the services provided by the department and review the organizational structure of and service delivery at similar agencies in other states and in nongovernmental organizations.

LD 919 An Act Regarding Licensure in the Field of Emergency Medical Services (new title)

Sponsor: Sen. Grohoski <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086829>

Criminal Justice & Public Safety

Committee Status: OTPA

Public Hearing: 5/9/2023 1:00 PM

Final Status: PL 2023, CH 166

As enacted, this law amends the Maine Emergency Medical Services Act of 1982 to provide that the Emergency Medical Services' Board may by rule establish appropriate licensure levels and qualifications for emergency medical services persons, emergency medical dispatchers, emergency medical services educators, emergency medical dispatch centers, emergency medical services training centers, ambulance services and nontransporting emergency medical services.

LD 927 Resolve, Directing the Commissioner of Professional and Financial Regulation to Conduct an Independent Assessment Regarding a Proposal to License Genetic Counselors

Sponsor: Rep. Perry <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086891>

Health Coverage, Insurance & Financial Services

Committee Status: ONTP

Public Hearing: 3/21/2023 1:00 PM

Final Status: DEAD

This resolve is a recommendation from the Advisory Panel To Better Understand and Make Recommendations Regarding the Implications of Genome-editing Technology for the Citizens of the State. It requires the Commissioner of Professional and Financial Regulation to conduct an independent 18 assessment of a proposal to license genetic counselors. The resolve requires the commissioner to submit a report to the Insurance Committee and allows the committee to submit legislation next year.

LD 934 An Act to Amend the Laws Governing Damages Awarded for Wrongful Death

Sponsor: Rep. Moonen <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086916>

Judiciary

Committee Status:

Public Hearing: 4/6/2023 1:00 PM

Final Status: PL 2023, CH 390

This law increases the limit on damages for the loss of comfort, society and companionship and emotional distress in a case of wrongful death from \$750,000 to \$1,000,000. It also increases the limit on punitive damages from \$250,000 to \$500,000. It increases the statute of limitations from 2 to 3 years.

LD 936 An Act to Require Disclosure of Pay Ranges and Record Keeping of Pay History

Sponsor: Rep. Roeder <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086934>

Labor & Housing

Committee Status: APP TBL

Public Hearing: 3/21/2023 1:00 PM

Final Status: CARRY OVER

This bill does the following.

1. It requires an employer that has 10 or more employees to ensure that any posting of an employment opening includes a statement that lists the range of pay the employer will offer to a successful applicant.
2. It requires an employer that has fewer than 10 employees to disclose, on request, to an applicant for an employment opening the range of pay the employer will offer to a successful applicant.
3. It requires any employer, on the request of an employee, to disclose the range of pay the employer offers for the position the employee holds. It also requires an employer to maintain a record of each position title and the payment history of each employee for the duration of the employee's employment with the employer and for 3 years after the termination of employment with the employer



LD 937 Resolve, to Establish the Commission Regarding Foreign-trained Physicians Living in Maine

Sponsor: Rep. Cloutier <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086935>

Health Coverage, Insurance & Financial Services **Committee Status:** APP TBL
Public Hearing: 3/21/2023 1:00 PM **Final Status:** PL 2023, CH 93

This resolve creates the Commission Regarding Foreign-trained Physicians Living in Maine to study integrating foreign-trained physicians living in the State into the healthcare workforce to best reflect their level of skills and training, with a focus on those who are here as refugees and asylum seekers. MHA is named member of the Commission.

LD 938 An Act to Assist Nursing Homes in the Management of Facility Beds

Sponsor: Rep. Perry <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086936>

Health & Human Services **Committee Status:** APP TBL
Public Hearing: 4/4/2023 1:00 PM **Final Status:** CARRY OVER

This bill restores the ability of nursing facilities to voluntarily reduce the number of their licensed beds and then later increase the number of their licensed beds to the prior level after obtaining a certificate of need and meeting certain conditions.

The bill modifies the process to obtain certificate of need approval to reopen reserved beds.

Applications that seek to reopen reserved beds must be approved if the projected incremental costs of reopening and operating the reopened beds are consistent with the facility's costs of operating its other beds. Applicants are not required to demonstrate that any increases in MaineCare costs are offset by other MaineCare savings. The costs of ongoing operation of both the restored beds and the complement of facility beds at the time the reserved beds are reopened must be recognized as allowable costs and incorporated into the facility's MaineCare payment rates.

The bill requires the Department of Health and Human Services to include in its calculation of reimbursement for services provided by a nursing facility the cost incurred by the facility for a medical director. The bill requires the cost incurred by a nursing facility for the acquisition, use and maintenance of computer or cloud-based software systems to be included as a fixed cost.

LD 940 An Act to Allow Pharmacists to Provide Services Through Telehealth and Vending Machines at Federally Qualified Health Centers

Sponsor: Rep. Perry <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086938>

Health Coverage, Insurance & Financial Services **Committee Status:** ONTP
Public Hearing: 3/21/2023 1:00 PM **Final Status:** DEAD

This bill authorizes a pharmacist licensed in this State or licensed in another state to provide telehealth services for patients of a federally qualified health center in this State, including delivering those services through a pharmaceutical vending machine located at the health center.

LD 949 An Act to Protect Workers from Employer Surveillance

Sponsor: Rep. Roeder <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086904>

Labor & Housing **Committee Status:** APP TBL
Public Hearing: 4/4/2023 1:00 PM **Final Status:** CARRY OVER

This bill prohibits employer surveillance unless the surveillance is strictly necessary for employee health and safety or the security of the employer, with certain limitations. It requires employers to provide, upon a verifiable request by an employee, data collected on the employee and certain information regarding that data. It specifies that an employer must provide notice to its employees prior to beginning employer surveillance. It provides that an employee has a private right of action.



LD 953 An Act to Protect Maine Patients Regarding Hospital Price Transparency

Sponsor: Rep. Libby <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086914>

Health & Human Services

Committee Status: DIV RPT

Public Hearing: 4/24/2023 10:00 AM

Final Status: DEAD

This bill requires that hospitals comply with the price transparency requirements established at 45 Code of Federal Regulations, Part 180, as in effect on January 1, 2023. It provides that upon application of the Attorney General, the Department of Health and Human Services or any affected patient, the Superior Court or District Court has full jurisdiction to enforce the price transparency laws. It prohibits a hospital from billing a patient, a patient guarantor or a 3rd-party payor for items or services provided to the patient, and requires that a hospital refund any payment made for items or services provided, on a date the hospital was in violation of the price transparency laws, as determined by a court, and provides for monetary penalties.

LD 956 An Act Concerning Sexual Orientation and Gender Identity Data Collection in Health Care Facilities

Sponsor: Rep. Rana <https://legislature.maine.gov/LawMakerWeb/summary.asp?paper=HP0603&SessionID=15>

Health & Human Services

Committee Status: DIV RPT

Public Hearing: 3/22/2023 1:00 PM

Final Status: PL 2023, CH 129

This bill requires health care facilities to collect data related to sexual orientation and gender identity from an individual as part of the individual's health care information. The federal uniform data system has included sexual orientation and gender identity data since 2016. This data is part of an individual's health care information that is confidential under the Maine Revised Statutes, Title 22, section 1711-C.

LD 961 An Act Regarding the Right to Request Flexible Working Arrangements for Employees

Sponsor: Rep. Warren <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086948>

Labor & Housing

Committee Status: ONTP

Public Hearing: 4/4/2023 1:00 PM

Final Status: DEAD

This bill allows employees to request a flexible working arrangement from an employer up to twice per year. An employer must consider a request by an employee for a flexible working arrangement twice per year and discuss the flexible working arrangement with the employee in good faith. The employee and employer may discuss alternative arrangements to the flexible working arrangement. The employer is not required to grant the employee's request for a flexible working arrangement.

LD 979 Resolve, to Fund Treatment Services and Certain Transportation Costs for Individuals with Substance Use Disorder

Sponsor: Rep. Crafts <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086961>

Health & Human Services

Committee Status: APP TBL

Public Hearing: 4/3/2023 10:00 AM

Final Status: RESOLVE 2023, CH 111

This resolve provides one-time funding for the department to contract with 3rd parties for a one-year pilot program to provide transportation from certified hypodermic apparatus exchange programs to medically managed withdrawal sites.

LD 982 An Act to Allow the Disclosure of Death Certificate Data to Hospitals and Health Care Practitioners

Sponsor: Sen. Baldacci <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086924>

Health & Human Services

Committee Status: OTPA

Public Hearing: 3/22/2023 1:00 PM

Final Status: PL 2023, CH 110

This law requires death certificate data to be provided, upon request, to a hospital or health care practitioner.



LD 995 An Act to Enhance Access to a Second Opinion for Health Care Services or Treatment

Sponsor: Rep. Quint <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086989>

Health Coverage, Insurance & Financial Services **Committee Status:** DIV RPT
Public Hearing: 5/8/2023 1:00 PM **Final Status:** PL 2023, CH 348

The law provides that an enrollee in a health plan may not be required to obtain a 2nd opinion from a provider that practices in the same office location as the enrollee's provider. The amendment also requires that, if the 2nd opinion is obtained from an out-of-network provider, a carrier may not apply a deductible, coinsurance or copayment for the 2nd opinion in an amount greater than the deductible, coinsurance or copayment that would apply to the same health care service if the service were obtained from a network provider, and the amount of any coinsurance or copayment must be applied to the enrollee's in-network deductible.

LD 997 Resolve, to Reduce Workforce Barriers for Mental Health Professionals in Maine

Sponsor: Rep. Salisbury <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087027>

Health & Human Services **Committee Status:** APP TBL
Public Hearing: 4/10/2023 10:00 AM **Final Status:** CARRY OVER

This resolve changes the educational requirements for behavioral health professionals providing services for children, regardless of the setting in which the service is provided, to a minimum of 60 credit hours in a related field, 90 credit hours in an unrelated field or a high school diploma or equivalent with training and oversight as determined by the Department of Health and Human Services in addition to the training provided for certification as a behavioral health professional. It requires the department to amend or establish contracts for training behavioral health professionals to train any number of additional individuals within existing resources and authorizes the department to opt to charge individuals or their employers fees for training.

The resolve also requires the department to amend its guidelines regarding certification for mental health rehabilitation technician/community technicians so that an individual who has completed a 4-year postsecondary educational degree program in a mental health related field or a graduate degree in a mental health-related field does not have to meet all competency domains in the training contracted from the department as long as the individual has met the 3 priority domains.

LD 1003 An Act to Increase Access to Behavioral Health Services for Children and Individuals with Intellectual Disabilities or Autism

Sponsor: Rep. Graham <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087037>

Health & Human Services **Committee Status:** OTPA
Public Hearing: 3/29/2023 1:00 PM **Final Status:** RESOLVE 2023, CH 60

This bill requires the Department of Health and Human Services to:

1. Provide crisis and respite services for persons with intellectual disabilities or autism to ensure that such a person does not stay in a hospital emergency department for more than 24 hours after the individual has met the medical criteria for safe discharge;
2. Maintain a publicly accessible website in order to track the use of various crisis services; and
3. Establish and maintain a statewide system of crisis services to meet the needs of children who have behavioral health needs.



LD 1009 An Act Regarding the Reduction and Recycling of Food Waste

Sponsor: *Rep. Zeigler* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087049>

Environment and Natural Resources **Committee Status:** TABLED
Public Hearing: 3/22/2023 9:00 AM **Final Status:** CARRY OVER

This bill creates a new mandate for producers of food waste, such as hospitals. It sets goals for the reduction of the disposal of food scraps and for food rescue, which is collecting edible food that would otherwise become solid waste and distributing the food to a hunger relief organization, food bank or pantry or other recipient to be used for human consumption. The bill sets priorities for the management of food scraps, with reduction at the point of generation being the first priority, then diversion for food consumption by humans, then diversion for agricultural use, including for consumption by animals, then subjecting the food scraps to composting or anaerobic digestion with subsequent soil application and finally subjecting the food scraps to anaerobic digestion not followed by soil application. Requirements are placed on producers of food scraps to separate the food scraps from other solid waste at the point of generation, with these requirements phased in over a 5-year period, beginning with the larger producers of food scraps. Commercial entities engaged in the transportation of municipal solid waste are required to collect food scraps from customers except for customers in municipalities with solid waste management ordinances that cover the collection of food scraps and that are consistent with the State's food recovery policy. The bill requires clearly marked food scraps containers to be placed next to any solid waste containers provided in public buildings and on public land.

LD 1010 An Act to Provide Tax Relief for Working Families

Sponsor: *Rep. Terry* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087051>

Taxation **Committee Status:**
Public Hearing: **Final Status:** CARRY OVER

This concept draft proposes to provide tax relief to working families by reforming the imposition of the service provider tax, especially on nonprofit organizations, schools, religious institutions and hospitals, and by adjusting the income tax brackets to make them fairer.

LD 1040 An Act to Require Reimbursement for Gender-affirming Care for MaineCare Members

Sponsor: *Rep. Moonen* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087069>

Health & Human Services **Committee Status:** DIV RPT
Public Hearing: 4/12/2023 1:00 PM **Final Status:** PL 2023, CH 288

As enacted, this law prohibits the MaineCare program from discriminating in its reimbursement for medically necessary treatment on the basis of a MaineCare member's gender identity, gender expression or on the basis that the MaineCare member is a transgender individual and requires that the program cover medically necessary treatment for or related to gender dysphoria.

LD 1044 "An Act Directing the Commissioner of Health and Human Services and the Commissioner of Corrections to Develop Alternative Responses to Mental Health and Substance Use Disorder Emergency Calls

Sponsor: *Sen. Baldacci* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086982>

Health & Human Services **Committee Status:**
Public Hearing: **Final Status:** DEAD

This concept draft has no content.



LD 1059 Resolve, to Allow Reimbursement for Remote Ultrasound Procedures and Fetal Nonstress Tests Under MaineCare

Sponsor: *Sen. Guerin* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087003>

Health & Human Services **Committee Status:** ONTP
Public Hearing: 4/14/2023 10:00 AM **Final Status:** DEAD

This resolve directs the Department of Health and Human Services to amend its rules regarding reimbursement under the MaineCare program to allow reimbursement for ultrasound procedures and fetal nonstress tests performed remotely in a residence or other off-site location through telehealth under the MaineCare program.

LD 1078 An Act to Increase the Number of Recovery Beds in the State

Sponsor: *Sen. Keim* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087215>

Health & Human Services **Committee Status:**
Public Hearing: **Final Status:** DEAD

This concept draft has no content.

LD 1085 An Act to Extend the Comparable Health Care Service Incentive Program Beyond 2023

Sponsor: *Rep. Morris* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087223>

Health Coverage, Insurance & Financial Services **Committee Status:** DIV RPT
Public Hearing: 4/20/2023 1:00 PM **Final Status:** PL 2023, CH 224

As enacted, this law simply extends the current 'right to shop' mandates beyond 2023.

LD 1098 An Act to Restore Religious and Philosophical Exemptions Regarding Immunization Requirements

Sponsor: *Rep. Bagshaw* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087236>

Education & Cultural Affairs **Committee Status:** DIV RPT
Public Hearing: 4/3/2023 10:00 AM **Final Status:** DEAD

Public Law 2019, chapter 154 removed the exemption from immunization requirements based on religious or philosophical beliefs for students in elementary, secondary and postsecondary schools and employees of nursery schools and certain health care facilities. This bill reinstates the religious and philosophical exemptions.

LD 1104 Resolve, to Amend the MaineCare Hospital Readmission Protocol

Sponsor: *Rep. Pringle* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087273>

Health & Human Services **Committee Status:** DIV RPT
Public Hearing: **Final Status:** RESOLVE 2023, CH 77

As enacted, it requires DHHS to review its MaineCare rules regarding hospital readmissions and reimbursement for readmissions, with a focus on readmissions of patients who had previously left the hospital against medical advice and readmissions of patients with substance use disorder and those with co occurring substance use disorder and behavioral health disorders. It requires the department to, by January 15, 2024, submit recommendations for statutory and rule changes regarding readmissions to the Health and Human Services Committee. It requires that, in making recommendations regarding management of readmissions of patients with substance use disorder and patients with co-occurring substance use disorder and behavioral health disorders, the department employ a trauma-informed approach.



LD 1105 An Act to Ensure Lower Costs and Consumer Protections for Patients by Prohibiting Certain Billing Practices

Sponsor: *Rep. Morris* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087274>

Health Coverage, Insurance & Financial Services **Committee Status:** DIV RPT
Public Hearing: 4/24/2023 10:00 AM **Final Status:** PL 2023, CH 382

The law prohibits a health insurance carrier from prohibiting a health care provider from providing an enrollee with the option of paying the provider's discounted cash price for health care services.

LD 1112 An Act to Provide Workers' Compensation for Temporary Employees

Sponsor: *Rep. Adams* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087281>

Labor & Housing **Committee Status:** ONTP
Public Hearing: 3/28/2023 10:00 AM **Final Status:** DEAD

This bill provides that, for the purposes of the Maine Workers' Compensation Act of 1992, a person who works on a project or temporary basis for an employer pursuant to a contract with a temporary employment agency is an employee of the temporary employment agency and not an independent contractor.

LD 1119 An Act to Clarify the Criminal Statutes with Regard to Assaults on Emergency Medical Services Persons

Sponsor: *Sen. Bennett* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087246>

Criminal Justice & Public Safety **Committee Status:** APP TBL
Public Hearing: 4/24/2023 9:00 AM **Final Status:** PL 2023, CH 455

Under current law, a person is guilty of a Class C crime if that person intentionally, knowingly or recklessly causes bodily injury to an emergency medical care provider, as that term is defined in the law, while the provider is providing emergency care. This bill amends the law by specifying that it is a Class C crime if the bodily injury is to:

1. A person licensed pursuant to the Maine Emergency Medical Services Act of 1982, regardless of the location where the emergency medical care is provided; or
2. A person employed or contracted by a hospital and the injury occurs in the hospital's designated emergency room.

The bill also amends the law governing elevating the class of a crime to include assaults on emergency medical services providers. The bill also makes a technical change to the definition of "emergency medical care provider" in the law governing emergency blood-borne pathogen testing. Currently, that term is defined by providing a cross-reference to a term the bill repeals.

LD 1131 An Act to Support Continuity in Perinatal and Emergency Care by Requiring Notice of a Voluntary Hospital or Facility Closure or Reduction in Service

Sponsor: *Rep. Stover* <https://legislature.maine.gov/bills/getPDF.asp?paper=HP0716&item=1&num=131>

Health & Human Services **Committee Status:** ONTP
Public Hearing: 4/4/2023 1:00 PM **Final Status:** DEAD

This bill requires a sanatorium, convalescent home, rest home, nursing home or similar institution or hospital to give notice of the voluntary closure of the facility or hospital or reduction in services provided by the facility or hospital to patients and municipalities. The bill requires the facility or hospital to engage in a root cause analysis for the decision and to develop a closure or reduction plan and pay for a closure plan monitor. The notice is overdetermined and unreasonable. It could require a notice up to 180 days in advance of a reduction in services to the Emergency Medical Services Board or 135 days for a municipality.



LD 1137 An Act to Prohibit Deceptive Advertising in Limited Pregnancy Services Centers

Sponsor: Rep. Gramlich <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087329>

Health & Human Services

Committee Status:

Public Hearing:

Final Status: DEAD

This bill defines the terms "pregnancy services center," "limited pregnancy services center" and "emergency contraceptive supplies," prohibits a limited pregnancy services center from disseminating information about pregnancy, pregnancy prevention or abortion that is deceptive or misleading and establishes a process for notice and enforcement of that prohibition.

LD 1143 An Act to Address Late Medical Billing by Limiting Hospital Billing to One Year

Sponsor: Sen. Stewart <https://legislature.maine.gov/LawMakerWeb/summary.asp?paper=SP0470&SessionID=15>

Health Coverage, Insurance & Financial Services

Committee Status:

Public Hearing: 4/24/2023 10:00 AM

Final Status: DEAD

This bill requires a hospital to issue a bill within one year of providing a service or the 11 patient or guardian of the patient who received the service is not obligated to pay the bill.

LD 1146 An Act to Authorize Certain Health Care Professionals to Prescribe Methadone

Sponsor: Sen. Brakey <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087350>

Health Coverage, Insurance & Financial Services

Committee Status: ONTP

Public Hearing: 4/6/2023 1:00 PM

Final Status: DEAD

This bill allows a health care professional licensed under the Board of Osteopathic Licensure or the Board of Licensure in Medicine with authority to prescribe controlled substances to prescribe methadone to a person with substance use disorder. It requires the person receiving treatment to participate in appropriate counseling activities that are equivalent to those required of individuals receiving methadone treatment at a methadone clinic. It requires prescribers to establish that the person with substance use receiving methadone prescriptions are considered sufficiently responsible for unsupervised use and the days the prescription is for. These requirements are based on 42 Code of Federal Regulations, Section 8.12 and the changes proposed to those requirements in S. 3629 introduced to the United States Congress in 2022.

LD 1159 An Act to Establish a Pilot Project Regarding Harm Reduction Health Centers

Sponsor: Rep. Osher <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087390>

Health & Human Services

Committee Status: DIV RPT

Public Hearing: 4/10/2023 1:00 PM

Final Status: DEAD

This bill directs the Department of Health and Human Services to create a 2-year pilot project establishing and operating a harm reduction health center to provide counseling and health service referrals and a place to use previously obtained controlled substances for clients of the center. The harm reduction health center must be approved by the municipality in which it is located, and the bill provides immunity to the State, the municipality or employees and clients of the center from criminal or civil liability. The bill creates an advisory board to provide guidance to the department and requires the department to report to the 132nd Legislature on the effectiveness of the project.

LD 1161 An Act to Fund Free Health Clinics

Sponsor: Rep. Brennan <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087393>

Health & Human Services

Committee Status: APP TBL

Public Hearing: 4/14/2023 10:00 AM

Final Status: CARRY OVER

This bill provides one-time funding of \$250,000 for the State's free health clinics.



LD 1165 An Act to Enhance Cost Savings to Consumers of Prescription Drugs

Sponsor: Rep. Craven <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087368>

Health Coverage, Insurance & Financial Services **Committee Status:** TABLED
Public Hearing: 4/6/2023 1:00 PM **Final Status:** CARRY OVER

This bill removes a provision that requires that compensation remitted by or on behalf of a pharmaceutical manufacturer, developer or labeler to a pharmacy benefits manager be remitted to the carrier if it is not remitted to the covered person. It retains the provision that requires that the compensation be remitted to the covered person to reduce the out-of-pocket costs associated with a prescription drug. It requires pharmacy benefits managers to annually report compliance with this requirement to the Superintendent of Insurance. It authorizes the superintendent to impose civil penalties and take enforcement action for noncompliance by a carrier or pharmacy benefits manager. It designates the information provided as confidential.

LD 1169 An Act to Amend the Laws Governing the Foreign Credentialing and Skills Recognition Revolving Loan Program

Sponsor: Rep. Cloutier <https://legislature.maine.gov/LawMakerWeb/summary.asp?paper=HP0741&SessionID=15>

Innovation, Development, Economic Advancement and **Committee Status:** APP TBL
Public Hearing: **Final Status:** PL 2023, CH 456

This bill changes the Foreign Credentialing and Skills Recognition Revolving Loan Program to a grant program and increases the maximum allowable distribution of funds per applicant from \$700 to \$1,000.

LD 1184 An Act to Exempt Certain Prescribed Home Medical Supplies from Sales Tax

Sponsor: President Jackso <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087359>

Taxation **Committee Status:** TABLED
Public Hearing: 4/26/2023 9:30 AM **Final Status:** CARRY OVER

This bill provides a sales tax exemption for medical equipment and supplies prescribed by a health care provider for medical purposes when payment is made by an insurance company or specified government programs.

LD 1187 An Act to Protect Inpatient Psychiatric Services in Northern Maine by Preserving the Current Reimbursement Rate

Sponsor: President Jackso <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087366>

Health & Human Services **Committee Status:** ONTP
Public Hearing: 4/19/2023 10:00 AM **Final Status:** DEAD

This bill prohibits the Department of Health and Human Services from decreasing the reimbursement rate for distinct psychiatric unit discharges for Northern Maine Medical Center or its successor hospital without legislative approval.

LD 1188 An Act to Establish a Public Health Response to Substance Use

Sponsor: Sen. Beebe-Cent <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087403>

Health & Human Services **Committee Status:**
Public Hearing: **Final Status:** DEAD

This concept draft has no content.



LD 1190 An Act to Ensure a Fair Workweek by Requiring Notice of Work Schedules

Sponsor: *Sen. Tipping* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087405>

Labor & Housing

Committee Status: APP TBL

Public Hearing: 4/6/2023 1:00 PM

Final Status: CARRY OVER

This bill requires employers who employ 250 or more employees worldwide to provide hourly employees at least 2 weeks' prior notice of the employees' work schedules, with compensation owed for schedule changes under certain circumstances. The bill also requires these employers to keep certain business records for at least 3 years. The bill provides that the Department of Labor, Bureau of Labor Standards may investigate possible violations and receive complaints of possible violations from the public. A fine of \$50 per day is due for any noncompliance. The Attorney General may also file a civil action seeking additional remedies. The department may adopt rules regarding compliance with and enforcement of these provisions, and the bureau is required to report to the Legislature periodically on violations and the bureau's efforts.

LD 1205 An Act Regarding the Scope of Practice of Certified Professional Midwives and Certified Midwives

Sponsor: *Rep. Meyer* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087570>

Health Coverage, Insurance and Financial Services

Committee Status: TABLED

Public Hearing:

Final Status: CARRY OVER

This bill amends the national standards by which certified professional midwives and certified midwives are required to practice and changes from permissive to mandatory the rulemaking of the Board of Complementary Health Care Providers relating to the scope of practice of certified professional midwives and certified midwives and directs the board to replace the terms "collaboration" and "consultation" with "referral" in the board's rules regarding certified professional midwives.

LD 1211 An Act to Require the Department of Health and Human Services to Fund Out-of-state Residential Treatment for Substance Use Disorder When In-state Treatment Is Unavailable

Sponsor: *Rep. Babin* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087750>

Health & Human Services

Committee Status: ONTP

Public Hearing: 4/3/2023 10:00 AM

Final Status: DEAD

This bill requires the Department of Health and Human Services to provide reimbursement under the MaineCare program for out-of-state residential treatment for substance use disorder when residential treatment is unavailable in the State.

LD 1214 An Act to Clarify the Laws to Combat Perfluoroalkyl and Polyfluoroalkyl Substances Contamination

Sponsor: *Sen. Baldacci* <https://legislature.maine.gov/LawMakerWeb/summary.asp?paper=SP0495&SessionID=15>

Environment and Natural Resources

Committee Status: ONTP

Public Hearing: 4/26/2023 10:00 AM

Final Status: DEAD

fluoroalkyl and polyfluoroalkyl substances.

1. It changes the definitions of "intentionally added PFAS" and "perfluoroalkyl and polyfluoroalkyl substances."
2. It changes the date for the requirement that a manufacturer of a product for sale in the State that contains intentionally added PFAS submit a written notification to the Department of Environmental Protection from January 1, 2023 to January 1, 2024. With respect to this notification, it requires a manufacturer to designate confidential business information claims in accordance with the laws of the State and the Uniform Trade Secrets Act.
3. It removes the provision of law that provides that, effective January 1, 2030, a person may not sell, offer for sale or distribute for sale in this State any product that contains intentionally added PFAS, unless the department has determined by rule that the use of PFAS in the product is a currently unavoidable use. Current law provides that the department may by rule identify products by category or use that may not be sold, offered for sale or distributed for sale in this State if they contain intentionally added PFAS and that products in which the use of PFAS is a currently unavoidable use as determined by the department may be exempted by the department by rule.



LD 1222 An Act to Expand Child Care Services Through an Employer-supported Tax Credit

Sponsor: *Sen. Stewart* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087760>

Taxation **Committee Status:** ONTP
Public Hearing: **Final Status:** CARRY OVER

This bill repeals the law governing the employer-assisted day care income tax credit, which by its own terms does not apply to tax years beginning on or after January 1, 2016. The bill authorizes a refundable tax credit for an employer that pays or provides in-kind resources for child care for the children of its employees. The amount of the annual credit is 50% of the amount expended or \$3,000 per child, whichever is lower.

LD 1224 Resolve, Directing the Department of Health and Human Services to Seek Federal Approval for Reimbursement of Community-based Mobile Crisis Intervention Services

Sponsor: *Sen. Grohoski* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087803>

Health & Human Services **Committee Status:** TABLED
Public Hearing: 4/21/2023 10:00 AM **Final Status:** CARRY OVER

This resolve requires the Department of Health and Human Services to submit to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services any waivers or state plan amendments determined necessary in order to reimburse community-based mobile crisis intervention services.

LD 1236 An Act to Increase the Provision of Children's Behavioral Health Services in Rural Areas and to Provide Support for Families of Children Receiving Services

Sponsor: *Rep. Madigan* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087830>

Health & Human Services **Committee Status:** APP TBL
Public Hearing: 4/10/2023 10:00 AM **Final Status:** CARRY OVER

This bill requires the Department of Health and Human Services to expand children's behavioral health services for children in families involved in the child welfare system in rural areas. It requires the department to amend its MaineCare Sections 28 and 65 rules to establish a rural reimbursement rate that includes travel time for providers to rural areas to provide services. It requires the department to offer grants or other incentives to existing providers to expand services into rural areas. It also requires the department to reimburse providers of services to families to meet together and coordinate services for each family. It requires the department to train and provide neutral facilitators from child welfare staff for family team meetings.

LD 1244 An Act to Define Undisputed Health Insurance Claims

Sponsor: *Rep. O'Neil* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087809>

Health Coverage, Insurance and Financial Services **Committee Status:** OTPA
Public Hearing: 4/24/2023 10:00 AM **Final Status:** PL 2023, CH 332

As enacted, this law adds a definition of "undisputed claim" as it relates to claims submitted by health care providers and health care facilities to health insurance carriers.



LD 1250 An Act Regarding Paying Providers Sufficiently, Maintaining Short Waiting Lists and Creating a Cause of Action for Aggrieved Persons in the System of Care for Clients with Intellectual Disabilities or Autism

Sponsor: *Rep. Osher* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087825>

Health & Human Services

Committee Status: TABLED

Public Hearing: 4/10/2023 1:00 PM

Final Status: DEAD

This bill amends the law governing the system of care for clients with intellectual disabilities or autism by:

1. Requiring the Department of Health and Human Services to pay providers of services and supports sufficiently to ensure that persons with intellectual disabilities, autism, brain injury or other related conditions receive the same level of care as the general population;
2. Requiring the Department of Health and Human Services to ensure that waiting lists under the system are sufficiently short to provide the same level of care as received by the general population; and
3. Creating a cause of action for persons aggrieved by violations by the Department of Health and Human Services in performing the department's responsibilities under the system.

LD 1254 An Act to Provide Coverage and Prior Authorization of Medications and Services During a MaineCare Provider's Enrollment Period

Sponsor: *Rep. Arford* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087833>

Health & Human Services

Committee Status: ONTP

Public Hearing: 5/3/2023 1:00 PM

Final Status: DEAD

This bill allows a provider with a pending enrollment application to apply for a prior authorization of medications and services and requires the Department of Health and Human Services to make available prior authorization criteria to providers with a pending enrollment application. It also requires DHHS to cover medications and services delivered by a provider during the time the provider's application is pending based on the determination of the prior authorization request.

LD 1267 An Act to Provide Alternative Methods of Payment to Health Care Providers

Sponsor: *Rep. Nutting* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087887>

Health Coverage, Insurance & Financial Services

Committee Status: OTPA

Public Hearing: 4/24/2023 10:00 AM

Final Status: PL 2023, CH 232

This bill requires a health insurance carrier to offer a health care provider at least one method of payment for claims that does not require the health care provider to pay any additional fees or incur any costs to accept payment from that carrier.

LD 1271 An Act to Require a Disclaimer on Promotional Materials for Medicare, Medicaid and MaineCare Products by Private Entities

Sponsor: *Sen. Chipman* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087875>

Health Coverage, Insurance & Financial Services

Committee Status: OTPA

Public Hearing: 4/6/2023 1:00 PM

Final Status: PL 2023, CH 243

As enacted, the law establishes that the use of promotional materials for Medicare, Medicaid and MaineCare products without the disclaimer required in the bill is an unfair trade practice under the Maine Insurance Code. The amendment also provides that the provisions relating to the required disclaimers on promotional materials apply to any person engaging in promoting these products.

LD 1304 Resolve, to Establish the Task Force to Study Barriers to Achieving Behavioral Health Integration and Parity

Sponsor: *Rep. Perry* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087956>

Health & Human Services

Committee Status: APP TBL

Public Hearing: 4/11/2023 1:00 PM

Final Status: CARRY OVER

This resolve establishes the Task Force to Study Barriers to Achieving Behavioral Health Integration and Parity. The task force is directed to submit a report and any suggested legislation for presentation to the Health and Human Services Committee and the Insurance Committee by December 6, 2023.



LD 1305 Resolve, to Design and Implement a Community-based Model of Care for Adolescent Mental Health

Sponsor: Rep. Gramlich <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280087959>

Health & Human Services **Committee Status:** APP TBL
Public Hearing: 4/21/2023 10:00 AM **Final Status:** CARRY OVER

This resolve directs the Department of Health and Human Services to design and implement a community-based model of care that addresses the acute mental health needs of adolescents with co-occurring disorders. It appropriates one-time funds of \$965,000 for this purpose. It directs the Department of Health and Human Services to, no later than December 3, 2025, submit to the Health and Human Services Committee a report demonstrating the efficacy of the model of care and sufficient data to aid in the development of a future MaineCare reimbursement rate.

LD 1321 An Act to Address Income Disparity in Health Care by Limiting the Compensation of Hospital Executives

Sponsor: Sen. Tipping <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088010>

Health & Human Services **Committee Status:** ONTP
Public Hearing: 4/14/2023 10:00 AM **Final Status:** DEAD

This bill limits total annual compensation for an executive at a hospital to no more than 5 times the median compensation of the full-time registered professional nurses at the hospital. For the purposes of this provision, "executive" does not include administrative staff or persons primarily employed by the hospital as health care practitioners or to provide health care services.

LD 1323 An Act to Amend the Opioid Education Requirements

Sponsor: Rep. Nutting <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088022>

Health Coverage, Insurance & Financial Services **Committee Status:** DIV RPT
Public Hearing: 4/13/2023 1:00 PM **Final Status:** DEAD

This bill reduces the number of hours of continuing education on the prescription of opioid medication a health care provider who prescribes opioid medication must complete from 3 hours every 2 years to one hour every 2 years.

LD 1334 An Act to Establish a Managed Care Program for MaineCare Services

Sponsor: Rep. Millett <https://legislature.maine.gov/LawMakerWeb/summary.asp?paper=HP0848&SessionID=15>

Health & Human Services **Committee Status:** DIV RPT
Public Hearing: 4/18/2023 10:00 AM **Final Status:** DEAD

This bill establishes a managed care program for all covered MaineCare services. It requires the Department of Health and Human Services to issue a request for proposals for at least 3 managed care organizations that are able to operate the managed care program on a statewide basis. The bill establishes the requirements for contracts for managed care organizations. It requires the Department of Health and Human Services to apply for any state plan amendments or waivers required by January 1, 2024.

LD 1354 An Act to Protect Medicare Beneficiaries from Surprise Bills and to Inform Medicare Beneficiaries About Medicare Part B Excess Charges

Sponsor: Rep. Bell <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088111>

Health Coverage, Insurance & Financial Services **Committee Status:** ONTP
Public Hearing: 4/11/2023 1:00 PM **Final Status:** DEAD

This bill requires an insurer offering Medicare supplement insurance in this State to disclose whether the Medicare supplement insurance plan covers the costs of Medicare Part B excess charges. The bill also prohibits physicians from balance billing Medicare beneficiaries for any amount in excess of the Medicare-approved amount for a service, procedure or treatment paid to that physician under the Medicare program.



LD 1373 An Act to Allow Employers to Shop for Competitive Health Plan Options by Expanding the Disclosure of Health Claims Information

Sponsor: Rep. Morris <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088108>

Health Coverage, Insurance & Financial Services **Committee Status:** OTPA
Public Hearing: 4/20/2023 1:00 PM **Final Status:** PL 2023, CH 297

As enacted, this law deals with information a carrier must provide to the policyholder (employer) about the coverage provided.

1. It requires disclosure of aggregate claims and total medical and pharmacy claims separately by month.
2. It clarifies that reports related to high-cost claimants are required only when there are more than 25 enrollees covered under the group policy and removes the requirement in the bill that those reports include prognosis information.
3. It removes the requirement that loss information include information related to requests for hospital stays of 5 days or longer during the 30-day period preceding the report request.
4. It removes the authorization for a group policyholder to receive loss information

LD 1382 An Act to Establish the Guiding Public Health Principles of Focused Protection for Pandemics of a Highly Infectious Respiratory Disease

Sponsor: Rep. Brakey <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088038>

Health & Human Services **Committee Status:** ONTP
Public Hearing: 4/24/2023 10:00 AM **Final Status:** DEAD

This bill establishes 8 principles of focused protection for a pandemic of a highly infectious respiratory disease for public health authorities to follow.

LD 1383 An Act to Regulate Insurance Carrier Prior Authorization Requirements for 14 Rehabilitative and Habilitative Services

Sponsor: Sen. Brenner <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088040>

Health Coverage, Insurance & Financial Services **Committee Status:** DIV RPT
Public Hearing: 3/13/2023 1:00 PM **Final Status:** PL 2023, CH 275

As enacted, the law:

1. Requires a health insurance carrier to provide clear written policies and procedures 10 to health care providers and enrollees on how to obtain a prior authorization; and
2. Prohibits a carrier from requiring prior authorization for rehabilitative or habilitative services, including, but not limited to, physical therapy services, occupational therapy services or chiropractic services, for the first 12 visits of each new episode of care.

The law clarifies that the prior authorization provision in the bill does not limit the right of a carrier to deny a claim when appropriate prospective or retrospective review concludes that services or treatment rendered were not medically necessary.

LD 1385 An Act to Amend the Maine Workers' Compensation Act of 1992 Regarding Employee Liability

Sponsor: Sen. Libby <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088045>

Labor & Housing **Committee Status:** ONTP
Public Hearing: 4/13/2023 2:00 PM **Final Status:** DEAD

This bill amends the Maine Workers' Compensation Act of 1992 to provide that an employee who intentionally or with gross negligence or while committing a criminal act causes another employee's injury or death is not exempt from civil actions, either at common law or under the Maine Revised Statutes, Title 14, sections 8101 to 8118 or Title 18 C, section 2 807. This bill allows the injured employee, or the legal representative of that employee, to either claim the compensation and benefits payable under the workers' compensation laws or obtain damages from or proceed at law against the offending employee to recover damages.



LD 1387 An Act to Ensure That All Maine Children Have a Healthy Start by Providing Single-payer Health Care Insurance to All Children

Sponsor: *Sen. Baldacci* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088060>

Health Coverage, Insurance & Financial Services **Committee Status:** ONTP
Public Hearing: 5/9/2023 1:00 PM **Final Status:** DEAD

This concept draft would create the Healthy Start Maine Commission to oversee a program to automatically provide single-payer health care insurance coverage to children who have not attained 19 years of age. The coverage provided would be similar to benefits provided under the MaineCare program and would begin January 1, 2025.

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

Sponsor: *Sen. Tipping* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088122>

Health Coverage, Insurance & Financial Services **Committee Status:** OTPA
Public Hearing: 4/27/2023 1:00 PM **Final Status:** PL 2023, CH 276

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

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

Sponsor: *Sen. Bailey* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088123>

Health Coverage, Insurance & Financial Services **Committee Status:** OTP
Public Hearing: 4/25/2023 1:00 PM **Final Status:** PL 2023, CH 132

This bill proposes statutory changes based on recommendations included in the ambulance task force report made to the Insurance Committee. The bill makes the following changes.

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

LD 1399 - An Act to Improve State Oversight of Proposed Health Care Entity Transactions

This bill defines a material change transaction involving a health care entity (largely mergers/acquisitions), creates a process for review of a material change transaction and requires the Attorney General to review and approve or deny any material change transaction.

LD 1399 An Act to Improve State Oversight of Proposed Health Care Entity Transactions

Sponsor: *Rep. Morris* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088132>

Health Coverage, Insurance & Financial Services **Committee Status:** ONTP
Public Hearing: **Final Status:** DEAD

This bill defines a material change transaction involving a health care entity (largely mergers/acquisitions), creates a process for review of a material change transaction and requires the Attorney General to review and approve or deny any material change transaction.

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

Sponsor: *Rep. Crafts* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088128>

Health Coverage, Insurance & Financial Services **Committee Status:**
Public Hearing: 4/13/2023 1:00 PM **Final Status:** PL 2023, CH 315

As enacted, this law removes the requirement that a social worker seek a physician's opinion in forming a psychosocial opinion, removes the Volunteer Social Workers Project from the Maine Revised Statutes and removes the prohibition on social workers' diagnosing organic mental illness.



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

Sponsor: Rep. Mastraccio <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088164>

Health Coverage, Insurance & Financial Services **Committee Status:** OTPA
Public Hearing: 4/24/2023 10:00 AM **Final Status:** CARRY OVER

This bill amends the Maine Insurance Code in the following ways.

1. It allows a health care provider to object to a health insurance carrier's material change to a provider agreement within 60 days of receiving notice of the change and extends the date on which a change to a provider agreement takes effect based on that objection.
2. It requires a health insurance carrier to include an estimate of any adverse financial impact on a provider as part of a notice of an amendment to a provider agreement.
3. It clarifies that the requirement for interest to be paid on overdue insurance claims payments also applies to 3rd-party administrators that furnish provider networks to carriers.
4. It restricts the authority of a health insurance carrier to retroactively deny a previously paid claim to no later than 24 months from the date of the claims payment.

LD 1423 An Act to Increase the Limits on Awards for Compensatory and Punitive Damages Under the Maine Human Rights Act

Sponsor: Speaker Talbot <https://legislature.maine.gov/bills/getPDF.asp?paper=HP0919&item=1&snum=131>

Judiciary **Committee Status:** DIV RPT
Public Hearing: 4/25/2023 1:00 PM **Final Status:** PL 2023, CH 263

This law increases the maximum limits on awards for compensatory and punitive damages under the Maine Human Rights Act. Depending on the circumstances, the increase is:

- From \$50K to \$100,000;
- From \$100K to \$300,000;
- From \$300K to \$500,000;
- From \$500K to \$1,000,000.

LD 1428 An Act to Ensure Treatment for MaineCare Recipients with Serious Mental Illness by Prohibiting the Requirements for Prior Authorization and Step Therapy for Medications

Sponsor: Rep. Madigan <https://legislature.maine.gov/bills/getPDF.asp?paper=HP0924&item=1&snum=131>

Health & Human Services **Committee Status:** DIV RPT
Public Hearing: 4/21/2023 10:00 AM **Final Status:** DEAD

This bill prohibits prior authorization requirements and step therapy protocols under the MaineCare program for prescription drugs used to assess or treat serious mental illness. The implementation of the prohibition must be consistent with the requirements of the Medicaid drug rebate program.

LD 1430 Resolve, to Amend the Funding Formula for Reimbursing Nursing Facilities Under the MaineCare Program

Sponsor: Rep. Russell <https://legislature.maine.gov/bills/getPDF.asp?paper=HP0926&item=1&snum=131>

Health & Human Services **Committee Status:**
Public Hearing: **Final Status:** DEAD

This resolve directs the Department of Health and Human Services to amend its funding formula for nursing facilities in the State to reimburse nursing facilities located on certain islands in the State 100% of the actual costs of providing nursing services for MaineCare members and to base reimbursement for all other nursing facilities on the percentage of MaineCare beds.



LD 1439 An Act to Promote Family-centered Interventions for Substance Use Disorder Treatment

Sponsor: Rep. Madigan <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088244>

Health & Human Services

Committee Status: APP TBL

Public Hearing: 5/3/2023 1:00 PM

Final Status: PL 2023, CH 463

This bill requires a hospital to post in a publicly accessible area of its emergency department information provided by the Department of Health and Human Services regarding how individuals with substance use disorder can access evidence-based treatment services

LD 1440 Resolve, to Increase the Availability of Community Children's Behavioral Health Services by Providing Training and Career Opportunities for Behavioral Health Professionals

Sponsor: Rep. Madigan <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088245>

Health & Human Services

Committee Status: ONTP

Public Hearing: 4/21/2023 10:00 AM

Final Status: DEAD

This resolve requires DHHS to coordinate the development of a course curriculum, credential and career path for behavioral health professionals providing services to children in the community. The department shall explore options for providing incentives to individuals wishing to pursue the course curriculum. The resolve also requires MaineCare program rates to be increased for services provided by behavioral health professionals with the training. The resolve requires that all behavioral health professionals providing services to children in the community receive one hour per week of clinical supervision.

LD 1447 Resolve, to Authorize the Training of Nursing Assistants by Certified Nursing Assistants

Sponsor: Sen. Baldacci <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088172>

Health Coverage, Insurance & Financial Services

Committee Status: ONTP

Public Hearing: 4/25/2023 1:00 PM

Final Status: DEAD

This resolve directs the State Board of Nursing to amend its rules to authorize the training of nursing assistants by certified nursing assistants who have had at least 8 years of professional experience as a certified nursing assistant and no disciplinary record. Note: Instead of a Resolve, the Committee will send a letter to DHHS asking them to pursue the waiver.

LD 1453 An Act to Amend the Physical Therapist Practice Laws

Sponsor: Sen. Benner <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088178>

Health Coverage, Insurance & Financial Services

Committee Status: OTPA

Public Hearing: 4/25/2023 1:00 PM

Final Status: PL 2023, CH 317

This bill amends the laws governing the practice of physical therapy as follows.

1. It includes the term "physiotherapy" in the definition of "physical therapy" and clarifies the definitions of "physical therapist," "physical therapist assistant," "practice of physical therapy" and "referral."
2. It amends the law governing physical therapy licensure to delineate authorized practices and limitations and referral requirements.
3. It authorizes the Commissioner of Professional and Financial Regulation to determine the date of license renewal and requires the Board of Examiners in Physical Therapy to establish continuing education requirements as a condition of license renewal.
4. It requires the board to request a background check, including criminal history record information and fingerprints, for all persons who submit an application for initial licensure or licensure by endorsement



LD 1469 Resolve, to Sufficiently Staff Overnight Behavioral Health Crisis Facilities

Sponsor: *Sen. Stewart* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088262>

Health & Human Services

Committee Status: ONTP

Public Hearing: 4/20/2023 1:00 PM

Final Status: DEAD

This bill requires the Department of Health and Human Services to adopt rules requiring a facility providing overnight behavioral health crisis services to establish staffing ratios based on a clinical assessment of the acuity of the residential milieu and not fewer than one staff person to every 3 clients between the hours of 7 a.m. to 7 p.m. and one staff person to every 4 clients between the hours of 7 p.m. to 7 a.m.

LD 1474 Resolve, Directing the Department of Health and Human Services to Expedite Reimbursement of Nursing Facilities

Sponsor: *Sen. Stewart* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088267>

Health & Human Services

Committee Status: APP TBL

Public Hearing: 4/20/2023 1:00 PM

Final Status: RESOLVE 2023, CH 121

This bill requires the Department of Health and Human Services to amend its MaineCare Manual, Section 67, Principles of Reimbursement for Nursing Facilities, to require the department to reimburse at least 75% of a nursing facility's costs pursuant to the facility's cost reports within 90 days of receipt.

LD 1485 An Act to Provide Funding for Hospital Security in Aroostook County

Sponsor: *Sen. Stewart* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088324>

Health & Human Services

Committee Status: ONTP

Public Hearing: 4/20/2023 1:00 PM

Final Status: DEAD

This bill provides one-time funding to Cary Medical Center in Caribou and Houlton Regional Hospital in Houlton to help with the hiring of 2 full-time security officers.

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

Sponsor: *Rep. Crafts* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088341>

Health Coverage, Insurance & Financial Services

Committee Status: TABLED

Public Hearing: 4/25/2023 1:00 PM

Final Status: CARRY OVER

This bill requires the Board of Counseling Professionals Licensure to grant a provisional license for up to 90 days to a counseling professional licensed in another state or an applicant who has completed the requirements for licensure in this State upon receipt of an application for licensure. The bill requires the board to issue a provisional license upon the submission of evidence that the applicant holds a substantially equivalent, valid license in another state and that the applicant's qualifications for licensure are substantially similar to those required in state law or that the applicant has completed the requirements for licensure in this State.

LD 1496 An Act to Prohibit Noncompete Clauses

Sponsor: *Rep. Warren* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088346>

Labor & Housing

Committee Status: TABLED

Public Hearing: 4/19/2023 10:00 AM

Final Status: CARRY OVER

This bill prohibits an employer from requiring or permitting an employee to enter into a noncompete agreement with the employer, regardless of the amount of the employee's earned wages. It prohibits noncompete agreements between an out-of-state employer and a resident of this State. It authorizes noncompete agreements in specific nonemployment related situations, subject to certain conditions.



LD 1497 An Act to Strengthen Medicare by Preventing Providers from Adding Excess Charges

Sponsor: Rep. Collings <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088349>

Health & Human Services

Committee Status: ONTP

Public Hearing: 4/11/2023 1:00 PM

Final Status: DEAD

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

LD 1498 An Act to Create an Advocacy and Complaint Process for Health Care Providers Within the Bureau of Insurance

Sponsor: Rep. Perry <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088352>

Health Coverage, Insurance & Financial Services

Committee Status:

Public Hearing: 4/24/2023 10:00 AM

Final Status: CARRY OVER

This bill establishes the Health Care Provider Assistance Division within the Department of Professional and Financial Regulation, Bureau of Insurance to assist health care providers in obtaining information about health insurance plans, assist health care providers in navigating the health insurance industry, assist health care providers with concerns specific to coverage for individual patients and issues that may have market-wide impact and provide a system for health care providers to submit complaints about violations of statutes or rules.

LD 1501 An Act to Protect Maine Citizens from Discrimination by Including Vaccination Status as a Protected Class

Sponsor: Rep. Greenwood <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088333>

Judiciary

Committee Status: DIV RPT

Public Hearing: 4/25/2023 1:00 PM

Final Status: DEAD

This bill adds vaccination status as a protected class under the Maine Human Rights Act.

LD 1506 Resolve, Directing the Department of Health and Human Services to Study the Scarcity of Licensed Clinical Behavioral Health Professionals Across the State

Sponsor: Rep. Sargent <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088350>

Health Coverage, Insurance & Financial Services

Committee Status: APP TBL

Public Hearing: 4/25/2023 1:00 PM

Final Status: CARRY OVER

This resolve requires the Department of Health and Human Services to convene a stakeholder group to review issues related to the training and recruitment of clinical behavioral health care professionals. The resolve requires the department to submit a report related to the study to the Joint Standing Committee on Health and Human Services and authorizes the committee to report out a bill relating to the report.

LD 1515 An Act to Fund Delivery of Emergency Medical Services

Sponsor: Speaker Talbot <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088369>

Criminal Justice & Public Safety

Committee Status:

Public Hearing: 5/4/2023 1:00 PM

Final Status: CARRY OVER

This bill provides General Fund appropriations to the Department of Public Safety to support existing transportation costs of emergency medical services. These appropriations must be reduced to the maximum extent possible through the use of public and private Medicaid match programs.



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

Sponsor: Rep. Morris <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088382>

Health Coverage, Insurance & Financial Services **Committee Status:** TABLED
Public Hearing: 4/24/2023 10:00 AM **Final Status:** CARRY OVER

This bill establishes consistent billing requirements for providers of outpatient health care services delivered in off-campus outpatient departments owned by or affiliated with a health care system. The bill's requirements must be followed by health care facilities and health insurance carriers and apply to claims submitted to a health insurance carrier on or after January 1, 2024.

LD 1541 An Act to Amend the Laws Relating to the Certificate of Need

Sponsor: Rep. Morris <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088423>

Health Coverage, Insurance & Financial Services **Committee Status:**
Public Hearing: 4/27/2023 1:00 PM **Final Status:** DEAD

This concept draft has no content.

LD 1547 An Act to Temporarily Prohibit the State from Mandating COVID-19 Vaccinations

Sponsor: Rep. Quint <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088430>

Health & Human Services **Committee Status:** DIV RPT
Public Hearing: 4/24/2023 10:00 AM **Final Status:** DEAD

This bill prohibits mandatory vaccinations for COVID-19 for 5 years from the date of a vaccine's first emergency use authorization by the United States Department of Health and Human Services, Food and Drug Administration in order to allow for safety testing and investigations into reproductive harm.

LD 1554 An Act to Repeal Certificate of Need Requirements for Health Care Providers

Sponsor: Sen. Brakey <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088463>

Health Coverage, Insurance & Financial Services **Committee Status:** DIV RPT
Public Hearing: 4/27/2023 1:00 PM **Final Status:** DEAD

Under current law, before introducing additional health care services and procedures in a market area, a person must apply for and receive a certificate of need from the Department of Health and Human Services. This bill eliminates that requirement.

LD 1575 An Act to Promote Quality and Innovation in Nursing and Residential Care Facilities

Sponsor: Rep. Meyer <https://legislature.maine.gov/bills/getPDF.asp?paper=HP1020&item=1&snum=131>

Health & Human Services **Committee Status:** TABLED
Public Hearing: 5/1/2023 10:00 AM **Final Status:** CARRY OVER

This bill authorizes the Department of Health and Human Services to implement new payment methods for nursing facilities, as well as implement nursing and residential care facility innovation and quality initiatives.

LD 1577 An Act to Require Health Insurance Coverage for Biomarker Testing

Sponsor: Rep. Zager <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088559>

Health Coverage, Insurance & Financial Services **Committee Status:**
Public Hearing: 5/8/2023 10:00 AM **Final Status:** CARRY OVER

This bill requires insurance coverage, including coverage in the MaineCare program, for biomarker testing.



LD 1598 An Act to Allow an Exception to Immunization Requirements for Health Care Workers for Vaccines Approved Under Emergency Use Authorization

Sponsor: *Sen. Stewart* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088552>

Health & Human Services

Committee Status: ONTP

Public Hearing: 4/24/2023 10:00 AM

Final Status: DEAD

This bill allows an exemption from immunization requirements for health care workers if the only available vaccine for a disease is one that is approved by the federal Food and Drug Administration under an emergency use authorization and provides that an employer of health care workers may not require a vaccine approved under an emergency use authorization or retaliate against an employee for refusing to obtain a vaccine that is approved by the federal Food and Drug Administration under an emergency use authorization.

LD 1601 An Act Regarding Visitation Policies for Long-term Care Facilities, Hospice Providers and Hospitals

Sponsor: *Sen. Stewart* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088555>

Health & Human Services

Committee Status: DIV RPT

Public Hearing: 5/1/2023 10:00 AM

Final Status: DEAD

This bill requires long-term care facilities, hospice providers and hospitals to adopt a visitation policy that is provided to the Department of Health and Human Services. The policy must be adopted by January 1, 2024. The policy must permit in-person visitation in certain circumstances. The policy must include infection control and education policies for visitors and may not require visitors to provide proof of vaccinations. It also requires the policy to allow for a resident of a facility to designate a family member, friend, guardian or other person as a designated visitor that may visit in person for at least 2 hours a day in addition to other visitors. The policy must be posted on the hospital's website and a long term care facility's or hospice provider's website if such a website exists. The department must post information on visitation requirements on its website and establish a process for the public to report complaints against providers.

LD 1602 An Act to Implement the Recommendations of the Stakeholder Group Convened by the Emergency Medical Services' Board on Financial Health of Ambulance Services

Sponsor: *Sen. Bailey* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088571>

Health Coverage, Insurance & Financial Services

Committee Status: APP TBL

Public Hearing: 5/2/2023 1:00 PM

Final Status: PL 2023, CH 468

This bill proposes statutory changes based on recommendations included in the Blue Ribbon EMS report. The bill makes the following changes.

1. It removes the repeal date related to the rate of reimbursement health insurance carriers are required to pay for covered emergency services provided by an ambulance service provider.
2. It removes the limitation that carriers are only required to reimburse for covered emergency services provided by an ambulance services provider.
3. It requires health insurance carriers to reimburse ambulance service providers for nontransporting services at the same reimbursement rates for covered emergency services.
4. It prohibits health insurance carriers from requiring an ambulance services provider to obtain prior authorization before transporting an enrollee to a hospital, between hospitals or from a hospital to a nursing home or other health care facility and requires carriers to reimburse for those services.
5. It requires health insurance carriers to consider the requirements of the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services related to medical necessity when establishing the carrier's own policies for medical necessity.
6. It requires carriers to reimburse ambulance services providers for covered services rendered through community paramedicine. The bill also specifies the cost and performance metrics for the program for collecting and reporting cost and performance metrics related to emergency services that must be established by the Emergency Medical Services' Board in rule and proposes to add 2 positions to the Emergency Medical Services' Board to facilitate that program. Finally, the bill proposes to require the Maine Health Data Organization to report information on payments for ambulance services on its publicly accessible website.



LD 1611 An Act to Create the Pine Tree Power Company, a Nonprofit, Customer-owned Utility

Sponsor: <https://legislature.maine.gov/LawMakerWeb/summary.asp?paper=IB0002&SessionID=15>

Energy, Utilities and Technology

Committee Status: ONTP

Public Hearing:

Final Status: DEAD

This is the CMP/Versant take-over legislation. This initiated bill creates the Pine Tree Power Company, a privately operated, nonprofit, consumer-owned utility controlled by a board the majority of the members of which are elected. The company's purposes are to provide for its customer-owners in this State reliable, affordable electric transmission and distribution services and to help the State meet its climate, energy and connectivity goals in the most rapid and affordable manner possible.

LD 1615 An Act Regarding Limits on Medication in Vending Machines

Sponsor: Rep. Terry <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088585>

Innovation, Development, Economic Advancement & Business **Committee Status:**

Public Hearing: 5/4/2023 1:00 PM

Final Status: PL 2023, CH 160

This bill repeals the limitation that no more than 12 different nonprescription drugs may be dispensed by any single vending machine.

LD 1619 An Act to Improve Maine's Reproductive Privacy Laws

Sponsor: Speaker Talbot <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088641>

Judiciary

Committee Status: DIV RPT

Public Hearing: 5/1/2023 12:00 PM

Final Status: PL 2023, CH 416

This law amends the law governing abortion reports to eliminate the requirement to use the United States Standard Report of Induced Termination of Pregnancy and replace it with a report that may not contain any information that identifies the patient but must contain specific data such as the date and place the abortion was performed; the age of the patient; the method used to perform the abortion; and the gestational age of the fetus at the time of the abortion. This law changes the standard for when an abortion may be performed after viability to when the abortion is necessary in the professional judgment of a licensed physician. In making this professional judgment, the physician must apply the applicable standard of care.

LD 1639 An Act to Address Unsafe Staffing of Nurses and Improve Patient Care

Sponsor: Sen. Brenner <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088655>

Labor & Housing

Committee Status: DIV RPT

Public Hearing: 5/4/2023 1:00 PM

Final Status: CARRY OVER

This bill establishes the Maine Quality Care Act in order to ensure adequate direct-care registered nurse staffing assignments in health care facilities, including hospitals, freestanding emergency departments and ambulatory surgical facilities, to provide safe and effective patient care. It establishes minimum direct-care registered nurse staffing requirements based on patient care unit and patient needs, specifies the method to calculate a health care facility's compliance with the staffing requirements, protects direct-care registered nurses from retaliation and includes notice, record-keeping and enforcement requirements.

LD 1665 An Act to Improve Breast Health Care by Providing Coverage for Genetic Counseling and Testing

Sponsor: Sen. Rotundo <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088722>

Health Coverage, Insurance & Financial Services

Committee Status:

Public Hearing: 5/8/2023 10:00 AM

Final Status: DEAD

This bill requires that individual and group health insurance policies provide coverage for BRCA-related genetic counseling and BRCA-related genetic testing for individuals who are at increased risk for developing BRCA-related cancers. The requirements apply to insurance policies beginning on January 1, 2024.



LD 1676 An Act to Strengthen the Sustainability and Value of Maine's Designated Health Information Exchange by Acquiring Enhanced Federal Funding

Sponsor: Rep. Perry <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088734>

Health & Human Services

Committee Status:

Public Hearing:

Final Status: DEAD

This bill directs the Department of Health and Human Services to submit an operational advance planning document for approval by the Centers for Medicare and Medicaid Services to obtain enhanced federal matching funds to support the state-designated health information exchange. Subsequent to approval by the centers of the operational advance planning document and achievement of outcomes-based certification, it requires the bylaws of the state-designated health information exchange to include greater department representation in the makeup of the board of directors governing the state-designated health information exchange and requires broad MaineCare access to state-designated health information exchange patient data from providers. It further requires the state-designated health information exchange to submit an annual plan to the department to ensure stable state-designated health information exchange operations and financial support and requires MaineCare providers that are hospitals or part of a health care system to maintain a persistent data connection and clinician access to the state-designated health information exchange.

LD 1701 Resolve, to Reestablish and Continue the Work of the Blue Ribbon Commission to Study Emergency Medical Services in the State

Sponsor: Speaker Talbot <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088790>

Criminal & Public Safety

Committee Status: STUDY TBL

Public Hearing:

Final Status: RESOLVE 2023, CH 99

This resolve reestablishes the Blue Ribbon Commission to Study Emergency Medical Services in the State, which was previously established by the 130th Legislature in 2022.

LD 1705 An Act to Give Consumers Control over Sensitive Personal Data by Requiring Consumer Consent Prior to Collection of Data

Sponsor: Rep. O'Neil <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088797>

Judiciary

Committee Status:

Public Hearing: 5/22/2023 10:00 AM

Final Status: CARRY OVER

This bill provides for an individual's privacy regarding the collection and use of biometric identifiers of the individual and personal information connected to the biometric identifiers. The bill requires a written release from an individual before a private entity may obtain or use biometric identifiers and requires the private entity to establish a policy for retention and destruction of the biometric identifiers. The bill provides for a private right of action for an aggrieved individual who has had biometric identifiers obtained or used in violation of the provisions related to biometric identifiers, as well as civil penalties and enforcement by the Attorney General. The bill also provides that violations of provisions related to biometric identifiers constitute violations of the Maine Unfair Trade Practices Act.

LD 1708 An Act to Address Anticompetitive Terms in Health Insurance Carrier and Health Care Provider Contracts

Sponsor: Rep. Morris <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088783>

Health Coverage, Insurance & Financial Services

Committee Status:

Public Hearing:

Final Status: DEAD

Beginning January 1, 2024, this bill prohibits contractual agreements between health insurance carriers and health care providers that include provisions restricting the ability of a health insurance carrier to encourage enrollees to use specific health care providers, to use tiering as part of a carrier's provider network or to require the inclusion of all members or affiliates of a health care provider in a carrier's network.



LD 1719 An Act to Establish Substance Use Disorder Treatment Centers

Sponsor: *Speaker Talbot* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088821>

Health & Human Services

Committee Status: APP TBL

Public Hearing:

Final Status: DEAD

This bill requires the Department of Health and Human Services to establish treatment centers for substance use disorder treatment. (Substance included in budget)

LD 1722 Resolve, to Establish the Blue Ribbon Commission to Design a Plan for Sustained Investment in Preventing Disease and Improving the Health of Maine Communities

Sponsor: *Sen. Rotundo* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088814>

Health & Human Services

Committee Status: STUDY TBL

Public Hearing:

Final Status: RESOLVE 2023, CH 100

This resolve establishes the Blue Ribbon Commission to evaluate funding models and structures that allow for the sustained investment in the health and prosperity of youth and families in the State and make recommendations for further legislative action.

LD 1740 An Act to Support an Insured Patient's Access to Affordable Health Care with Timely Access to Health Care Prices

Sponsor: *Rep. Arford* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088851>

Health & Human Services

Committee Status:

Public Hearing: 5/9/2023 1:00 PM

Final Status: CARRY OVER

Under current law, health care entities are required to provide an estimate of the total price of medical services to be rendered directly by that health care entity during a single medical encounter within a reasonable time of a request from an uninsured patient. This bill requires health care entities to provide a good faith estimate of the allowed amount under an insured patient's health insurance coverage to be paid by an insurer for the medical services to be rendered directly by that health care entity during a single medical encounter.

This bill requires the information to be provided within 3 business days of a request from an insured patient to the patient and to the patient's health insurance carrier. This bill also requires health care entities to post notice of a patient's right to request this information in their offices and include such notice in a patient's written consent to treatment form that must be signed prior to receiving health care treatment or services. The bill requires health insurance carriers to provide an insured patient with an advanced explanation of benefits within 3 business days of receiving a good faith estimate from a health care entity for medical services.

LD 1749 An Act to Establish the Physical Therapy Licensure Compact

Sponsor: *Sen. Brenner* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088842>

Health Coverage, Insurance and Financial Services

Committee Status: OTPA

Public Hearing:

Final Status: PL 2023, CH 329

As enacted, this law enacts the Physical Therapy Licensure Compact, which provides a mechanism to facilitate interstate practice by licensed professional physical therapists and physical therapist assistants in order to improve public access to professional physical therapy services.

The form, format and text of the Physical Therapy Licensure Compact have been changed minimally so as to conform to Maine statutory conventions. The changes are technical in nature and it is the intent of the Legislature that this compact be interpreted as substantively the same as the Physical Therapy Licensure Compact that is enacted by other member states.



LD 1751 An Act to Maximize Federal Funding in Support of Emergency Medical Services

Sponsor: *Sen. Curry* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088844>

Health & Human Services

Committee Status: TABLED

Public Hearing: 5/1/2023 10:00 AM

Final Status: CARRY OVER

This bill establishes an ambulance service assessment fee on ambulance service providers in order to maximize federal funding for reimbursement to ambulance service providers under the MaineCare program. It also increases the reimbursement rates under the MaineCare program for ambulance services, neonatal transport, no-transport calls and community paramedicine. Ambulance services subject to the hospital tax are excluded.

LD 1753 An Act to Establish an Independent Adjudicatory Process Regarding the Department of Health and Human Services

Sponsor: *Sen. Bennett* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088864>

Health & Human Services

Committee Status: ONTP

Public Hearing: 5/10/2023 10:00 AM

Final Status: DEAD

This bill requires that, in an adjudicatory proceeding regarding the Department of Health and Human Services, the Attorney General must appoint the presiding officer from a list of qualified persons, who:

1. Must be licensed attorneys or knowledgeable in health and human services law;
2. Must enter into a contract with the Attorney General;
3. May not be an employee of a state agency or have a personal or professional conflict that would prevent the person from being fair and impartial;
4. Must attend periodic training sessions in health and human services practices and law;
5. Does not have a client involved in a health and human services matter in the State; and
6. May not preside over a matter in which there is a party who the person represented within the prior 12 months or who employed the person within the prior 3 years.

LD 1756 An Act to Protect Employee Freedom of Speech

Sponsor: *Sen. Daughtry* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088871>

Labor & Housing

Committee Status: DIV RPT

Public Hearing:

Final Status: PL 2023, CH 414

This deceptively labeled law is unclear. The original purpose of the bill was to prohibit an employer from discharging, disciplining or otherwise penalizing or threatening to discharge, discipline or otherwise penalize or taking any adverse employment action against an employee because the employee declines to attend or participate in an employer-sponsored meeting or declines to receive or listen to a communication from the employer if the meeting or communication is to communicate the opinion of the employer about religious or political matters. Included in these meetings would be meetings about on-site union drives. In other words, the original bill would prohibit employers from forcing employees to hear the employer's side of the debate. The law was amended, and the scope of that amendment is unclear. It appears to allow employers to force employees to receive "communications" about unionization but can't force employees to attend a meeting. The summary of the amendment does not appear to match the substance of the amendment. Sorry this is unclear.

LD 1766 An Act to Require Insurance Carriers to Compensate Providers for Costs of Providing Medical Records for Utilization Review

Sponsor: *Rep. Mastraccio* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088933>

Health Coverage, Insurance & Financial Services

Committee Status: ONTP

Public Hearing: 5/4/2023 1:00 PM

Final Status: DEAD

This bill requires a carrier requesting medical records or documents for utilization review to compensate a health care provider for reasonable expenses to provide the requested records or documents.



LD 1784 Resolve, to Improve Access to Appropriate Levels of Long-term Care by Rebasing and Increasing Reimbursement Rates

Sponsor: *Speaker Talbot* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088970>

Health Coverage, Insurance & Financial Services **Committee Status:**
Public Hearing: 5/10/2023 10:00 AM **Final Status:** DEAD

This resolve requires the Department of Health and Human Services to:

1. Rebase reimbursement rates, effective July 1, 2023, to reflect the increased costs experienced by nursing facilities;
2. Amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing Facilities to provide that, effective July 1, 2023, the upper limit on the base year case mix and regionally adjusted cost per day is the median multiplied by 130%; and
3. Work with nursing facilities to improve access to the facilities for patients with certain special needs.

LD 1785 Resolve, to Establish the Blue Ribbon Commission to Make Recommendations to Update Laws Governing the Continuum of Long-term Care Options

Sponsor: *Speaker Talbot* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088972>

Health Coverage, Insurance & Financial Services **Committee Status:**
Public Hearing: 5/10/2023 10:00 AM **Final Status:** DEAD

This resolve establishes the Blue Ribbon Commission to Make Recommendations to Update Laws Governing the Continuum of Long-term Care Options to review the laws governing residential options for individuals in need of residential supports, including but not limited to long-term care, assisted living facilities and other licensed residential options, and make recommendations to the Legislature on changes to the State's laws in order to reflect the State's changing demographics and labor market conditions and to ensure that the State has the capacity to meet the current and future needs for people needing residential supports.

LD 1792 Resolve, to Establish the Rural Health Services Task Force

Sponsor: *Pres. Jackson* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088953>

Health & Human Services **Committee Status:** APP TBL
Public Hearing: 5/8/2023 10:00 AM **Final Status:** CARRY OVER

This resolve establishes the Rural Health Services Task Force to study rural health care delivery in the State.

LD 1795 An Act to Protect Patients by Prohibiting Certain Medical Facility Fees

Sponsor: *Pres. Jackson* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088956>

Health Coverage, Insurance & Financial Services **Committee Status:** APP TBL
Public Hearing: 5/11/2023 1:00 PM **Final Status:** PL 2023, CH 410

This resolve establishes the Task Force to Evaluate the Impact of Facility Fees on Patients. The amendment also requires the Maine Health Data Organization to annually report on payments made by payors in this State for facility fees charged by health care providers.



LD 1797 An Act to Expand Maine's Health Care Workforce by Expanding Educational Opportunities and Providing Tax Credits

Sponsor: Pres. Jackson <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088958>

Innovation, Development, Economic Advancement & Committee Status: APP TBL
Public Hearing: 5/2/2023 1:00 PM **Final Status:** CARRY OVER

This bill does the following.

1. It makes part-time faculty eligible for the nursing education loan repayment program, with loans of up to \$10,000 for a master's degree and up to \$20,000 for a doctoral degree.
2. It provides for \$1,000,000 in ongoing annual appropriations to the nursing education loan repayment program.
3. It establishes the Maine Health Care Education Training and Medical Residency Fund and appropriates \$4,885,000 annually to the fund to establish clinical training opportunities for 3rd-year and 4th-year medical students in the rural parts of the State.
4. It provides for \$4,000,000 in ongoing annual appropriations to the Maine Health Care Provider Loan Repayment Program Fund.
5. It provides for \$1,000,000 in ongoing annual appropriations to the Doctors for Maine's Future Scholarship Program.
6. It establishes a new income tax credit of up to \$500 a year for new nurses, for 3 years per eligible nurse, for employment in a licensed health care facility in the State. It directs the State Board of Nursing to certify eligible nurses for the tax credit. It limits the tax credit to 1,000 nurses per year.
7. It provides for \$300,000 in ongoing annual appropriations to support incentives for clinical preceptorships.

LD 1801 Resolve, to Increase Transparency and Evaluate Emergency Response Through a COVID-19 Review Commission

Sponsor: Sen. Keim <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088986>

Health & Human Services Committee Status: STUDY TBL
Public Hearing: 5/8/2023 10:00 AM **Final Status:** DEAD

This resolve establishes the COVID-19 Review Commission to review and study the State's response to COVID-19 and state laws, rules and policies governing that response in the State, including the executive orders related to the declared COVID-19 emergency; contracts entered into related to executing the Governor's emergency proclamation and related executive orders and the data related to COVID-19 collected by the Department of Health and Human Services, Maine Center for Disease Control and Prevention, including suicide attempts and deaths and drug-related hospitalizations and deaths; the Maine Center for Disease Control and Prevention's response, including testing and use of contact tracing; and the policies and rules connected to COVID-19 implemented by the Department of Health and Human Services; the Department of Education; the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency; and the Department of Economic and Community Development. The commission is required to submit a report based on its review that includes its findings and recommendations, including suggested legislation, to the Health and Human Services Committee no later than December 6, 2023.

LD 1803 An Act to Improve the Maine Workers' Compensation Act of 1992

Sponsor: Sen. Tipping <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088988>

Labor & Housing Committee Status:
Public Hearing: **Final Status:** PL 2023, CH 205

This law amends the Maine Workers' Compensation Act of 1992 in a number of ways, including:

1. It repeals the reporting requirement regarding levels of permanent impairment.
2. It establishes that, if the board fails to adjust rates or update the medical fee schedule, the reimbursement rates for medical services will be the amount established by the medical fee schedule in effect on the date the update is due.
3. It eliminates the requirement that the board adopt treatment protocols for specific injuries as part of a utilization review program.
4. It simplifies the calculation of the after-tax benefit owed during an incapacity period when an employee also receives certain pension and disability benefits.
5. It eliminates the provision stating that the insurer may seek reimbursement from an employer of a fine for a tardy filing of a first report of injury when the report was late because the employer did not give the insurer timely notice of the injury.
6. It clarifies that an insurer may seek reimbursement from its insured employer whose failure to provide information to the insurer is the cause of the insurer's failure to file or complete a form as required by law.



LD 1809 An Act to Prohibit Health Care Services Without Parental Consent

Sponsor: Rep. Adams <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280088997>

Judiciary

Committee Status: DIV RPT

Public Hearing: 5/5/2023 1:00 PM

Final Status: DEAD

This bill requires parental consent and the provision of parental notification before a minor can obtain treatment for all health care services, including but not limited to:

1. Giving blood;
2. Preventing or treating a sexually transmitted infection;
3. Preventing or treatment for substance use disorder, including psychological, counseling or social work services;
4. Collecting sexual assault evidence through a sexual assault forensic examination;
5. Providing health services associated with a sexual assault forensic examination;
6. Providing family planning services;
7. Providing an abortion;
8. Treating emotional or psychological problems;
9. Providing direct and indirect services by school counselors and school social workers; and
10. Providing a substance use assessment, education or support group service when a student has been determined to be in violation of school rules governing substance use or alcohol or drug possession.

The bill repeals the provision of law authorizing a surrogate to provide consent for the health care of a minor.

LD 1815 An Act to Protect Maine's Consumers by Establishing an Abuse of Dominance Right of Action and Requiring Notification of Mergers

Sponsor: Rep. Millett <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280089035>

Innovation, Development, Economic Advancement &

Committee Status:

Public Hearing:

Final Status: CARRY OVER

This bill establishes a right of action against a person with a dominant position in the conduct of any business, trade or commerce, in any labor market or in the furnishing of any service in this State that abuses that dominant position. The bill requires any person conducting certain types of business in this State that is required to file a notification and report form prior to a merger pursuant to federal law to provide the same notification and report to the Attorney General. It establishes a penalty for failing to file the required notice. The bill increases the cap on monetary penalties from \$10,000 to \$50,000 for violations of provisions of law relating to the acquisition of gasoline and heating oil assets and increases the notification requirement from 30 days to 90 days. The bill increases the cap on monetary penalties from \$100,000 to \$250,000 for violations of provisions of law relating to antimonopoly provisions. It also clarifies that the State may recover equitable monetary relief in proceedings related to antitrust violations.

LD 1816 An Act Requiring Reference-based Pricing to Reduce Prescription Drug Costs

Sponsor: Rep. Perry <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280089036>

Health Coverage, Insurance & Financial Services

Committee Status: ONTP

Public Hearing: 5/15/2023 10:00 AM

Final Status: DEAD

This bill requires that a state entity, health plan or participating plan qualified under the federal ERISA statute may not purchase prescription drugs to be dispensed or delivered to a consumer of this State at a cost that exceeds the maximum fair price. The maximum fair price of a prescription drug is the maximum rate for a drug determined by the Secretary of the United States DHHS under the federal Medicare program. Any savings generated as a result must be used to reduce costs to consumers.



LD 1827 An Act to Prevent Closures and Ensure Sustainability of Nursing Facilities, Private Nonmedical Institutions and Residential Care Facilities by Removing So-called Budget Neutrality

Sponsor: *President Jackso* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280089048>

Health & Human Services

Committee Status: TABLED

Public Hearing: 5/10/2023 10:00 AM

Final Status: CARRY OVER

This bill eliminates the so-called budget neutrality provisions relating to transferring and selling beds between nursing facilities and residential care facilities, converting beds from nursing services to residential care services and delicensing nursing facility beds. It directs DHHS to amend its rules regarding nursing facilities, residential care facilities and private nonmedical institutions to remove all requirements of and references to provisions that costs must be fully offset by reductions in MaineCare costs, or so-called budget neutrality, in all rules affecting nursing facilities, residential care facilities or private nonmedical institutions or the certificate of need process for nursing facilities. It prohibits DHHS from implementing so-called budget neutrality in its policies or practices or by adopting or enforcing rules relating to nursing facilities, residential care facilities and private nonmedical institutions.

LD 1829 An Act to Reduce Prescription Drug Costs by Requiring Reference-based Pricing

Sponsor: *Sen. Reny* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280089050>

Health Coverage, Insurance & Financial Services

Committee Status: TABLED

Public Hearing: 5/15/2023 10:00 AM

Final Status: CARRY OVER

This bill requires that a state entity, health plan or participating plan qualified under the federal Employee Retirement Income Security Act of 1974 may not purchase prescription drugs to be dispensed or delivered to a consumer of this State at a cost that exceeds the referenced rate. The referenced rate of a prescription drug is the maximum rate for a drug determined by the Secretary of the United States DHHS under the federal Medicare program. Any savings generated as a result must be used to reduce costs to consumers.

LD 1832 An Act to Require Reimbursement of Fees for Treatment Rendered by Public and Private Ambulance Service

Sponsor: *Rep. Cyrway* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280089074>

Health Coverage, Insurance & Financial Services

Committee Status: TABLED

Public Hearing: 5/15/2023 10:00 AM

Final Status: CARRY OVER

This bill requires an ambulance service to be reimbursed for the cost of treating a person, regardless of whether the ambulance service transports the person to a hospital.

LD 1836 An Act Regarding Insurance Coverage for Diagnostic and Supplemental Breast Examinations

Sponsor: *Rep. Mathieson* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280089084>

Health Coverage, Insurance & Financial Services

Committee Status: DIV RPT

Public Hearing: 5/8/2023 10:00 AM

Final Status: PL 2023, CH 338

This bill provides that individual and group health insurance policies may not impose any cost-sharing requirements on a medically necessary diagnostic breast examination or supplemental breast examination performed by a health care provider. The requirements apply to insurance policies beginning on January 1, 2024.

LD 1890 An Act to Ensure Robust Contracts Between Insurers and Providers by Establishing Dispute Resolution Procedures

Sponsor: *President Jackso* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280089212>

Health Coverage, Insurance & Financial Services

Committee Status:

Public Hearing: 5/15/2023 10:00 AM

Final Status: DEAD

This bill directs the Bureau of Insurance to establish dispute resolution procedures for the resolution of disputes between health insurance carriers and health care providers.



LD 1896 An Act to Index Workers' Compensation Benefits to the Rate of Inflation

Sponsor: *Sen. Nangle* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280089223>

Labor & Housing

Committee Status: TABLED

Public Hearing: 5/11/2023 1:00 PM

Final Status: CARRY OVER

This bill requires benefits awarded under the Maine Workers' Compensation Act of 1992 to be annually increased to account for inflation by the amount of increase in the Consumer Price Index.

LD 1914 An Act to Enact the Maine Psilocybin Health Access Act

Sponsor: *Sen. Bailey* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280089243>

Veterans & Legal Affairs

Committee Status: TABLED

Public Hearing: 5/15/2023 9:00 AM

Final Status: CO

This bill enacts the Maine Psilocybin Health Access Act, which establishes a regulatory framework in order to provide psilocybin products to individuals in Maine who are 21 years of age or older.

LD 1925 An Act to Clarify and Improve the Laws Relating to the Background Check Center and the Maine Certified Nursing Assistant and Direct Care Worker Registry

Sponsor: *Rep. Shagoury* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280089341>

Health & Human Services

Committee Status: OTPA

Public Hearing: 5/17/2023 11:00 AM

Final Status: PL 2023, CH 241

This 15-page bill:

1. Makes many changes to the law regarding the Background Check Center, or BCC, in order to:
 - A. Authorize the collection of biometric identifier data to enable the BCC to access national criminal history backgrounds of potential employees and to amend related grandfathering provisions;
 - B. Authorize the portability of background check results from one employer to another;
 - C. Clarify the relationship of the provisions to direct access workers;
 - D. Authorize the BCC to specify offenses that disqualify an individual from employment as a direct access worker; and
 - E. Establish the BCC as the noncriminal justice submitting entity for the federal rap back monitoring program and outline procedures related to rap back monitoring;
2. Amends the provisions of law relating to the Maine Registry of Certified Nursing Assistants and Direct Care Workers in order to:
 - A. Limit the registry's authority to the eligibility of certified nursing assistants and listing direct care workers who have substantiated findings of abuse, neglect or misappropriation of property;
 - B. Clarify the relationship of the provisions to direct care workers;
 - C. Allow a process for a direct care worker to petition removal of a substantiated finding of neglect or misappropriation of property;
 - D. Clarify that certified nursing assistants and direct care workers are subject to the background check required under the provisions of law governing the BCC;
 - E. Authorize the Department of Health and Human Services to adopt rules to specify criminal convictions that disqualify a person from employment as a certified nursing assistant or direct access worker; and
 - F. Remove the provisions related to the ability of applicants to seek relief relating to 2 disqualifying criminal convictions and site that authority within the BCC;
3. Amends the provisions of law relating to unlicensed assistive persons in order to:
 - A. Replace the term "unlicensed assistive person" with "direct care worker";
 - B. Remove the provisions related to the ability of applicants to seek relief relating to 6 disqualifying criminal convictions and site that authority within the BCC; and
 - C. Provide for individuals enrolling in a training program for direct care workers to receive a background check through the BCC.



LD 1936 An Act to Allow Certified Nurse Practitioners to Provide In-home Care Without a Home Health Care Provider License

Sponsor: Rep. Graham <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280089389>

Health Coverage, Insurance & Financial Services **Committee Status:** OTPA
Public Hearing: 5/23/2023 1:00 PM **Final Status:** PL 2023, CH 267

As enacted, this law exempts certified nurse practitioners from the provisions licensure for home health services that are otherwise provided by certified nurse practitioners.

LD 1955 An Act to Require Hospitals and Hospital-affiliated Providers to Provide Financial Assistance for Medical Care

Sponsor: Speaker Talbot <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280089493>

Health & Human Services **Committee Status:** TABLED
Public Hearing: **Final Status:** CARRY OVER

This bill does the following.

1. It directs the Department of Health and Human Services to adopt rules, consistent with the federal Hill-Burton Act, for the provision of free health care services to patients who are state residents and meet certain income requirements.
2. It requires hospitals and hospital-affiliated providers to provide free care for individuals with income up to 200% of the FPL.
3. It requires that hospitals and hospital-affiliated providers use a single streamlined application for all financial assistance programs and provides for other resources relating to applications and for the determination of a patient's financial assistance.
4. It requires that hospitals and hospital-affiliated providers widely publicize their financial assistance programs within the community served by the hospital or hospital-affiliated provider, including by publishing a summary of the programs written in plain language; by providing physical copies of the summary, application and application instructions in conspicuous locations within the hospital or hospital-affiliated provider; and by posting a full, accessible and downloadable version of the application on the hospital's or hospital-affiliated provider's publicly accessible website.
5. It requires that hospitals and hospital-affiliated providers inform patients eligible for financial assistance if any service, treatment, procedure or test is not covered by the hospital's or hospital-affiliated provider's financial assistance program.
6. It provides that a hospital and a hospital-affiliated provider must offer patients payment plan options with terms of at least 2 years, with monthly payments not to exceed 3% of the patient's monthly gross income.
7. It prohibits certain collections actions by hospitals and hospital-affiliated providers for at least 240 days beginning on the date the hospital or hospital-affiliated provider provides a billing statement to the patient who has received medical care and left the hospital or hospital-affiliated provider. Prohibited collections actions include the sale of a patient's medical debt to a collection agency, legal action against a patient with the intent of collecting a debt for services rendered or withholding medically necessary care to a patient prior to the collection of debt.
8. It prohibits other billing or collections actions by a hospital or a hospital-affiliated provider until the hospital or hospital-affiliated provider fully determines a patient's eligibility for charity care, including by resolving an appeal filed by the patient.
9. It provides that the Department of Health and Human Services enforce the provisions of this law and establishes a civil penalty for hospitals or hospital-affiliated providers that knowingly or willfully violate these provisions or engage in a pattern of noncompliance.
10. It requires hospitals to comply with the price transparency requirements established in 45 Code of Federal Regulations, Part 180. A hospital is prohibited from initiating or pursuing a collections action against a patient for services provided on a date on which the hospital was not in compliance with the price transparency requirements.



LD 1964 An Act to Implement the Recommendations of the Commission to Develop a Paid Family and Medical Leave Benefits Program

Sponsor: *Sen. Daughtry* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280089486>

Labor & Housing

Committee Status: APP TBL

Public Hearing: 5/25/2023 1:00 PM

Final Status: DEAD

This bill implements a paid family and medical leave benefits program based on the recommendations of the Commission to Develop a Paid Family and Medical Leave Benefits Program established by the 130th Legislature. The program provides up to 12 weeks of family leave and up to 12 weeks of medical leave to eligible covered individuals. No more than 16 weeks of family leave and medical leave in the aggregate may be taken in a 12-month period. An individual is eligible for leave under the program after earning at least 6 times the state average weekly wage in the preceding 4 calendar quarters prior to submitting an application or if the individual is self-employed and has elected to be part of the program.

The maximum weekly benefit amount is capped at 120% of the state average weekly wage. The weekly benefit amount is 90% of the covered individual's average weekly wage.

Covered individuals are required to file claims for benefits in accordance with rules adopted by the department administering the program and to provide certification that they qualify for family leave or medical leave.

The bill establishes the Paid Family and Medical Leave Insurance Fund to support the program. The funds for administrative costs and payment of benefits come from payroll contributions of no more than 1% of wages shared by employers and employees, except that employers with fewer than 15 employees are not required to make employer contributions to the program. The bill also authorizes employers to provide these benefits through a private plan as long as the benefits for family and medical leave provided to their employees are the same as provided in the program.

The bill establishes the Paid Family and Medical Leave Benefits Authority to advise the administrator on the implementation and administration of the program. The bill requires payroll contributions to begin January 1, 2025 and benefit claims to be processed beginning January 1, 2026.

The bill authorizes the Department of Economic and Community Development to conduct outreach with businesses about the paid family and medical leave benefits program.

The bill requires the program to be reviewed under the State Government Evaluation Act in 2029. (Substance included in budget)

LD 1972 Resolve, to Improve Long-term Care for the People of Maine

Sponsor: *Pres. Jackson* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280089649>

Health & Human Services

Committee Status:

Public Hearing: 5/22/2023 12:00 PM

Final Status: DEAD

This resolve directs the Department of Health and Human Services to amend its rules to provide:

1. For the state fiscal year beginning July 1, 2023, that the reduction in allowable cost for low occupancy applies only for an annual level of occupancy less than 50% in nursing facilities and so-called Appendix C private nonmedical institutions;
2. Beginning July 1, 2023, add-on rates to the direct care rates for nursing homes and so-called Appendix C private nonmedical institutions; and
3. Effective July 1, 2023, the upper limit on the base year case mix and regionally adjusted cost per day is the median multiplied by 130%. The resolve requires the Department of Health and Human Services to rebase reimbursement rates, effective July 1, 2023, to reflect the increased costs experienced by nursing facilities. The resolve also provides ongoing funding for a high MaineCare utilization add-on payment to private nonmedical institutions that care for residents who are older or disabled, or PNMI-Cs.

LD 1973 An Act to Enact the Maine Consumer Privacy Act

Sponsor: *Sen. Keim* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280089650>

Judiciary

Committee Status:

Public Hearing: 5/22/2023 10:00 AM

Final Status: CARRY OVER

This 14-page bill is the 'alternative' bio-data bill from some members of the business community in response to a more expansive bill filed last year. It enacts the Maine Consumer Privacy Act to entitle consumers to certain rights concerning the use of personal data.



LD 1977 An Act to Create the Data Privacy and Protection Act

Sponsor: *Rep. O'Neil* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280089669>

Innovation, Development, Economic Advancement and Committee Status:

Public Hearing: **Final Status:** CARRY OVER

This 26-page bill is a re-file of that more expansive bill filed last year.

It enacts the Data Privacy and Protection Act, which:

1. Governs the collection, processing and transfer of certain personal data, including imposing requirements for consent to use the data, the use of personal data in targeted advertising and the use of the personal data of minors;
2. Requires policies, practices and procedures for data privacy; and
3. Prohibits retaliation for the exercise of a right relating to personal data and prohibits 8 discriminatory practices in the collection, processing or transfer of personal data.

LD 2009 An Act to Prevent Abandonment of Children and Adults with Disabilities in Hospitals

Sponsor: *Sen. Stewart* <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280090028>

Health & Human Services

Committee Status:

Public Hearing: **Final Status:** CARRY OVER

This bill requires a hospital to discharge a minor or an adult with a disability who is under guardianship to the care of a parent or guardian no later than 48 hours after the attending physician has determined the minor or the adult with disabilities is safe for discharge, and if a parent or guardian does not take custody of the discharged minor or the discharged adult with a disability within that period, the hospital is required to notify child protective services or adult protective services, as appropriate, which must then take custody of the minor or the adult with a disability.

