Maine Hospital Association
Bills Enacted
5/23/2012

LD 806 An Act To Provide Public Access to Price Lists of Hospitals and Ambulatory Surgical Facilities

Rep. Berry **Oppose** http://www.mainelegislature.org/legis/bills/display_ps.asp?LD=806&snum=125

Health and Human Services Committee ***PL 2011, CH 525***

AS ENACTED: The law amends the statute requiring the MHDO to maintain a Web site with pricing data to require that the MHDO do so with recent data.

LD 897 An Act To Amend the Application Process for the Progressive Treatment Program

Sen. Hill **Monitor** http://www.mainelegislature.org/legis/bills/display_ps.asp?LD=897&snum=125

Health and Human Services Committee ***PL 2011, CH 492***

Current law limits who may obtain an order from the District Court to admit a patient to a progressive treatment program. This law allows a health officer, law enforcement officer or any other person to obtain the order. The bill also requires that when an examiner forms an opinion it must be based on history as well as personal observation. AS ENACTED: It adds medical practitioners, law enforcement officers and legal guardians of individuals to the list of persons who may apply for admission to the progressive treatment program of an individual in need of psychiatric treatment. The law clarifies that available community providers for a progressive treatment program patient must be licensed and qualified. It also requires the application for admission to the program to include a proposed individualized treatment plan and to identify one or more licensed and qualified community providers willing to support the plan. The law requires that the applicant serve notice of hearing on a patient who is not hospitalized and provide proof of service to the court.

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1003 Resolve, To Assist Maine Schools To Obtain Federal Funds for Medically Necessary Services

Rep. Edgecomb **Monitor** http://www.mainelegislature.org/legis/bills/display_ps.asp?LD=1003&snum=125

Education and Cultural Affairs Committee ***RESOLVE 2011, CH 145***

This bill is a concept draft pursuant to Joint Rule 208.

As enacted, the Resolve directs the Department of Education and the Department of Health and Human Services to work together with an interagency stakeholder group to refine existing MaineCare policies, develop new policies or prepare nonregulatory guidance on billing procedures, as appropriate, to ensure the provision of medically necessary services to students in school-based settings. The departments may pursue amendments to the MaineCare rules and to the state plan related to the provision of medically necessary services to eligible children in school-based settings by July 1, 2012. The departments shall report-back to the Legislature on March 30, 2012 on the status of the work undertaken by that date.

LD 1497 An Act To Comply with the Health Insurance Exchange Provision of the Patient Protection and Affordable Care Act

Rep. McKane http://www.mainelegislature.org/legis/bills/display_ps.asp?LD=1497&snum=125

Insurance and Financial Services Committee ***PL 2011, CH 631***

As Enacted: The law only deals with the issue of who may serve as 'Navigators' under the Affordable Care Act. Navigators assist individuals who are seeking to purchase health insurance through a Health Insurance Exchange. The law establishes some statutory requirements to serve as Navigators and also requires the Superintendent of Insurance to develop criteria for the selection and certification of navigators prior to the establishment of any exchange in this State pursuant to state or federal law and prohibits individuals from acting as navigators without certification from the superintendent unless the individuals are licensed insurance producers.

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1603 An Act To Amend the Law Relating to Concealed Firearms Locked in Vehicles

Rep. Crafts **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Criminal Justice and Public Safety ***PL 2011, CH 537***

This law provides that the State may not prohibit a state employee who has a valid permit to carry a concealed firearm from keeping a firearm in the employee's vehicle on state property as long as the vehicle is locked and the firearm is not visible.

LD 1608 An Act To Clarify the Laws Governing Pharmacy Interns

Rep. Nutting **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Labor, Commerce, Research and Economic Developmen ***PL 2011, CH 496***

This law defines a "pharmacy intern" as a person who is enrolled in or a graduate of a college or school of pharmacy, is authorized to engage in the practice of pharmacy while under the supervision of a licensed pharmacist and is registered with the Maine Board of Pharmacy. This bill also gives to the Maine Board of Pharmacy the responsibility to register pharmacy interns.

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1624 An Act To Lessen the Regulatory Burden on Medical Laboratories by Removing Outdated Requirements from the Maine Medical Laboratory Act

Sen. McCormick http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Health & Human Services ***PL 2011, CH 531***

AS ENACTED, this law amends the Maine Medical Laboratory Act as follows:

1. It removes the requirement that an application for a medical laboratory license be notarized. Other licensing laws do not have this requirement;

2. It clarifies who make collect specimens.
3. It requires that a licensed medical laboratory send a copy of an itemized statement of laboratory services to the patient.

LD 1625 An Act To Amend the Organization of the Quality Assurance Review Committee

Sen. McCormick **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?ld=1625&PID=1456&snum=1

Health and Human Services ***PL 2011, CH 495***

This law gives the Department of Health and Human Services the duty to establish a statewide quality assurance review committee to review the provision of home care coordination services for long-term services and supports for elders and adults with disabilities. Previously, an agency that contracted to provide home care coordination services for the department was required to establish the committee. This bill also eliminates the requirement that the committee annually report to the department, and eliminates a reference to the Long-term Care Implementation Committee, which was repealed in 2003.

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1627 An Act Regarding the Filing of Birth, Death and Marriage Data

Sen. McCormick **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Health & Human Services ***PL 2011, CH 511***

As Enacted: The law protects persons named in vital records from identity theft and fraud by closing to public inspection filed notices of intentions to marry for the same time frame that marriage certificates are closed, except for the names of the persons who intend to marry and the intended date of marriage. There is one exception to the general denial of access to the public for a researcher engaged in genealogical research who holds a researcher identification card under the Maine Revised Statutes, Title 22, section 2706, subsection 8 to have access to applications recording intentions to marry and permits a custodian of those applications to issue a noncertified copy of an application to a researcher. The law also helps align state law regarding the delayed filing of records with the requirements of the Federal Government.

LD 1628 An Act To Limit Payment for Care and Treatment of Residents of State Institutions

Sen. McCormick http://www.mainelegislature.org/legis/bills/display_ps.asp?ld=1628&PID=1456&snum=1

Health and Human Services ***PL 2011, CH 674***

This law limits the amount that a provider may charge the State for medical services provided to a resident of a state institution outside of the state institution to the MaineCare rate.

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1629 An Act To Allow for a Contingency Fee Agreement with a MaineCare Recovery Audit Contractor

Sen. McCormick http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Health and Human Services ***PL 2011, CH 593***

This law authorizes the Department of Health and Human Services to enter into agreements with a MaineCare audit recovery contractor, including contingency fee agreements, as required under Section 6411 of the federal Patient Protection and Affordable Care Act, Public Law 111-148.

LD 1636 An Act To Extend Certain Insurance Protection to Emergency Responders

Rep. Luchini **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Insurance and Financial Services ***PL 2011, CH 493***

Current law prohibits an insurer from increasing the insurance policy premium of a law enforcement officer for a motor vehicle accident that occurs while the officer is acting in the course and scope of employment. This law extends this protection to emergency responders.

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1670 An Act Relating to Rating on the Basis of Group Size in the Small Group Health Insurance Market

Sen. Courtney **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Insurance & Financial Services ***PL 2011, CH 638***

As Enacted: The law provides that, beginning October 1, 2012, the rating factor used by small group health insurance carriers for group size must be combined within the maximum rate differential due to age of 2.5 to 1. The combined rating band for age and group size would be increased to 3 to 1 on January 1, 2014 and, to the extent permitted by the federal Affordable Care Act, further increased each year by a factor of 1 up to a combined 5 to 1 rating band on January 1, 2016. Under current law, the rating factor for group size falls outside of the rating bands.

LD 1679 An Act To Conform Maine's Prescription Drug Privacy Laws with the United States Constitution

Sen. McCormick **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Health & Human Services ***PL 2011, CH 494***

This law repeals provisions of Maine's laws providing confidentiality for certain prescription drug information relating to prescribers to conform state law to the United States Supreme Court decision in Sorrell v. IMS Health Inc., 131 S. Ct. 2653 (2011), which held unconstitutional similar provisions in the laws of Vermont.

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1688 An Act To Clarify the Status of Patients Held under Involuntary Commitment Applications

Rep. Moulton **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?ld=1688&PID=1456&snum=1

Health & Human Services ***PL 2011, CH 541***

This law clarifies that an application for involuntary commitment, also known as a "blue paper," or the subsequent review and endorsement of that application by a judge or justice, is not a judicial determination of commitment. Under current law, a judicial determination of commitment requires an examination of the person who is the subject of the involuntary commitment and a judicial hearing.

LD 1691 An Act Related to Specialty Tiers in Prescription Medication Pricing

Rep. Fitts **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Insurance and Financial Services ***PL 2011, CH 611***

As Enacted: the law seeks to protect those with high prescription drug costs. It does so by establishing an out-of-pocket limit for prescription drugs, under certain circumstances. Health benefit plans that provide prescription drug coverage are now required to provide a separate total limit for out-of-pocket expenses for prescription drugs provided under the health plan subject to coinsurance that does not exceed $3,500 per year if the carrier does not include out-of-pocket expenses for prescription drugs subject to coinsurance under the health plan's total limit for out-of-pocket expenses for all benefits provided under the health plan to the extent not inconsistent with the federal Affordable Care Act. The law also authorizes a carrier to adjust its limit for out-of-pocket expenses to minimize any premium increase that might otherwise result.

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1694 Resolve, Directing the Department of Health and Human Services To Review Rules Governing Reimbursement to MaineCare Recipients for Transportation to and from MaineCare Services

Rep. Burns **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Health & Human Services ***RESOLVE 2011, CH 142***

This resolve directs the Department of Health and Human Services to review reimbursement for transportation for MaineCare members to and from MaineCare services, including but not limited to freestanding methadone clinics that provide methadone treatment services. The amendment directs DHHS to submit a report to the Legislature by December 15, 2012.

LD 1698 An Act To Establish Veterans Treatment Courts

Rep. Maloney **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Judiciary ***PL 2011, CH 500***

This law authorizes the Chief Justice of the Supreme Judicial Court to establish veterans treatment courts. It also authorizes the State Court Administrator to seek federal funding for these courts.

This bill was presented in memory of former Army Ranger Justin Crowley-Smilek of Farmington, who served his country in Afghanistan.

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1702 An Act To Correct Inconsistencies and Ambiguities in the Maine Guaranteed Access Reinsurance Association Act

Rep. Richardson **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Insurance and Financial Services ***PL 2011, CH 621***

As Enacted: The law makes several technical changes to the reinsurance program enacted by the Legislature last year including changes to how carriers can assign an individual to the reinsurance pool and the confidentiality of health information in the possession of the Reinsurance Association.

LD 1714 An Act To Restrict Further the Amount of Methamphetamine Precursors That May Be Bought or Sold

Rep. Willette **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Health & Human Services ***PL 2011, CH 584***

As Enacted: The law limits sales of methamphetamine precursors to 3.6 grams per person per day and 9 grams per person per 30 days to comply with federal law. It also places the same restrictions on purchases. The law requires the electronic logging system to block illegal sales, subject to override if the seller has a concern for personal safety if the sale is not made. The law exempts from the electronic logging system a retailer who does not have access to the Internet. It provides a presumption of good faith for the retailer in a civil proceeding in which use of the electronic logging system is an issue. The law also requires the Department of Public Safety, Maine Drug Enforcement Agency to select a real-time electronic logging system by August 1, 2012 and by September 1, 2012 to notify retailers of the system.

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1715 An Act To Allow for Timely Access to and Enhanced Administration of All Vaccines

Rep. Strang Bur http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Labor, Commerce, Research & Economic Development ***PL 2011, CH 577***

AS ENACTED: This law makes the following changes to the laws governing the administration of vaccines by licensed pharmacists:

1. The law expands the list of vaccines that a pharmacitst may administer to a person 18 years of age or older to allow for the administration of any vaccines licensed by the United States Food and Drug Administration that are recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices for administration to adults. It also allows for the administration of a vaccine by a pharmacist according to a valid prescription from a nurse practitioner, and
2. It requires one-time approval from the Maine Board of Pharmacy of a pharmacist's or pharmacy's plan of operation for vaccine administration clinics and requires the board to adopt by rule criteria for the approval of such clinics.

LD 1719 An Act To Update the Powers and Duties of the Bureau of Maine Veterans' Services

Sen. Farnham **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Veteran's and Legal Affairs ***PL 2011, CH 539***

AS ENACTED: The provision about the bureau entering into agreements with health care providers was removed. The bureau of Veteran's Services was directed to work with DHHS on ensuring veterans receive the appropriate benefits to which they are entitled.

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1743 Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization

Rep. Strang Bur http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Health & Human Services ***RESOLVE 2011, CH 124***

This resolve provides for legislative review of portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a major substantive rule of the Maine Health Data Organization.

LD 1746 An Act To Make Supplemental Appropriations and Allocations 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 Years Ending June 30, 2012 and June 30, 2013 (Supplemental Budget)

Sen. Rosen http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Appropriations ***PL 2011, CH 657***

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1769 An Act Regarding Subrogation of Medical Payments Coverage

Rep. Picchiotti **Monitor** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Insurance & Financial Services ***PL 2011, CH 509***

Current law prohibits a claim for subrogation for an award or settlement under the medical payments coverage in a casualty insurance policy if the award or settlement does not exceed $20,000. This law removes that prohibition.

LD 1804 An Act To Implement Recommendations of the Right To Know Advisory Committee Concerning Public Records Exceptions

Monitor* http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Judiciary ***PL 2011, CH 524***

AS ENACTED: Section 8 of the law amends current law to clarify that the confidentiality provisions of the Maine Health Security Act govern the confidentiality of reports to appropriate medical licensing boards. Section 10 amends current law to authorize medical licensing boards to share confidential information with state and federal agencies when the information contains evidence of possible violations of laws enforced by those agencies.

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1813 An Act To Amend the Laws Governing Confidentiality of Health Care Information

Rep. Strang Bur **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Health & Human Services ***PL 2011, CH 572***

This law amends the law regarding confidentiality of health care information to allow health care practitioners or facilities to report to federal, state or local governmental entities if an alleged crime has been committed on the premises. Federal Health Insurance Portability and Accountability Act of 1996 regulations allow for disclosure if a practitioner or a facility believes a crime has been committed on the premises. This bill amends the state law to be consistent with federal law.

LD 1816 An Act To Implement the Recommendations of the Streamline and Prioritize Core Government Services Task Force for the Fiscal Years Ending June 30, 2012 and June 30, 2013 and To Make Certain Other Allocations and Appropriations and Changes to the Law Necessary to the Operation of State Government

Monitor* http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Appropriations ***PL 2011, CH 477***

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1818 Resolve, To Extend the Reporting Deadline of the Working Group on an All-payor Claims Database System

Monitor* http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Health & Human Services ***RESOLVE 2011, CH 121***

This resolve amends the reporting date of Resolve 2011, chapter 109 to extend the reporting date of the working group on an all-payor claims database system from January 31, 2012 to December 1, 2012.

LD 1837 An Act To Authorize the Establishment of Pilot Projects for Community Paramedicine

Rep. Willette **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Criminal Justice & Public Safety ***PL 2011, CH 562***

This law authorizes the Department of Public Safety, Emergency Medical Services' Board, in accordance with current rules of the board, to establish the requirements and application and approval process for community paramedicine pilot projects for the purpose of developing and evaluating the appropriateness of a community paramedicine program. The law establishes minimum levels of medical oversight and requires reporting by the pilot project to the board. The board is required to report annually regarding the pilot projects to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters. The law limits the number of pilot projects pursuant to this law to no more than 12 and they may last only for a duration of 3 years.

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1845 An Act To Implement the Recommendations of the Department of Health and Human Services and the Maine Developmental Disabilities Council Regarding Respectful Language

Monitor* http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Health & Human Services ***PL 2011, CH 542***

Part A of this law implements the recommendations of the Department of Health and Human Services and the Maine Developmental Disabilities Council regarding respectful language developed pursuant to Public Law 2011, chapter 186, Part B and makes other minor technical amendments to those statutory provisions to conform them to current drafting standards.

Part B renames certain programs within the Department of Health and Human Services. It also directs the department, when adopting or amending its rules and when developing, publishing and issuing forms, policies and publications, to replace references to "mental retardation" and "mentally retarded" with references to "intellectual disability" and "person with an intellectual disability" and to ensure that language referring to persons with disabilities is consistent with the recommendations of the respectful language working group contained in the report submitted by the Maine Developmental Disabilities Council to the Joint Standing Committee on Health and Human Services pursuant to Resolve 2007, chapter 62.

LD 1848 An Act To Expand the Notification Requirements of the Maine Certificate of Need Act of 2002

President Raye **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Health & Human Services ***PL 2011, CH 636***

As Enacted: The law expands the notification requirements of the Maine Certificate of Need Act of 2002 to specify that if an existing health care facility may close or lose bed capacity as a result of a proposal for which a certificate of need application has been filed, the Department of Health and Human Services must notify the municipal officers of the municipality in which that health care facility is located and the members of the State House of Representatives and the State Senate representing any part of that municipality. The law requires the published notice to identify the name and location of any health care facility that may close or lose bed capacity as a result of the proposal for which a certificate of need has been filed.

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1855 An Act Regarding the Fund for a Healthy Maine's Prevention, Education and Treatment Activities Concerning Unhealthy Weight and Obesity

Rep. Strang Bur **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Health & Human Services ***PL 2011, CH 617***

This law proposes changes to the Fund for a Healthy Maine as recommended by the Commission To Study Allocations of the Fund for a Healthy Maine established pursuant to Resolve 2011, chapter 112. It adds prevention, education and treatment activities concerning unhealthy weight and obesity to the health promotion purposes of the fund. It requires the Commissioner of Administrative and Financial Services to review the program structure for the programs of the fund and to recommend a new program structure, including a program for prevention, education and treatment activities concerning unhealthy weight and obesity, to be used in the state budget beginning in fiscal year 2014-15. It directs the commissioner to report to the Legislature on the review and recommendations by October 1, 2012.

LD 1870 An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government To Address Revenue Shortfalls Projected for the Fiscal Year Ending June 30, 2012

Rep. Flood **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Appropriations & Financial Affairs ***PL 2011, CH 577***

Final Supplemental Budget

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1884 An Act To Revise the Laws Regarding the Fund for a Healthy Maine

Sen. McCormick **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Health & Human Services ***PL 2011***

This law, which is based on recommendations from the Commission To Study Allocations of the Fund for a Healthy Maine, proposes changes to the Fund for a Healthy Maine. The bill changes the Fund for a Healthy Maine from an Other Special Revenue Funds account to a separate fund. It requires an annual report on targeted uses of fund money to the Commissioner of Administrative and Financial Services and provides for an annual report to the Legislature. It places in law review by the joint standing committee of the Legislature having jurisdiction over health and human services matters of legislative proposals affecting the fund that are currently in effect through Joint Rule 317.

LD 1886 Resolve, Directing Review of Strategies To Improve Communication between Patients and Physicians

Rep. Hayes **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Insurance & Financial Services ***RESOLVE 2011, CH 159.***

The Resolve directs the Department of Health and Human Services, Maine Center for Disease Control and Prevention, in conjunction with the Maine Medical Association, to convene a work group to review strategies to improve the dialogue between patients and physicians regarding breast density and breast imaging options and report any recommendations to the Legislature by December 7, 2012.

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1888 An Act To Strengthen the State's Ability To Investigate and Prosecute Misuse of Public Benefits

Sen. McCormick **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Health & Human Services ***PL 2011, CH 687***

This law provides successor liability for all health care providers in the MaineCare program; prohibits misuse of public benefits instruments; authorizes administrative recovery of improperly received municipal general assistance and MaineCare benefits; bans the use of electronic benefits transfer system benefits at liquor stores, gambling facilities and adult entertainment businesses; criminalizes the trafficking of electronic benefits by making the unauthorized transfer or possession of electronic benefits devices a Class D crime; conforms Maine law to federal requirements regarding suspension of payments to MaineCare providers upon determination of a credible allegation of fraud; and adds 8 Fraud Investigator and 2 Office Associate II positions to the Department of Health and Human Services, Office of Family Independence. The effective date for this law is Jan. 1, 2013.

LD 1891 Resolve, To Amend the Pilot Project for Independent Practice Dental Hygienists To Process Radiographs in Underserved Areas of the State

Sen. McCormick **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Labor, Commerce, Research and Economic Developmen ***RESOLVE 2011, CH 153***

Resolve 2011, chapter 67 established a pilot project for independent practice dental hygienists to expose and process radiographs in underserved areas of the State and authorized the Board of Dental Examiners to adopt rules to implement the pilot project. This resolve clarifies that the rules for the pilot project must allow an independent practice dental hygienist to expose and process all dental radiographs, including but not limited to vertical and horizontal bitewing films, periapical films, panoramic images and full-mouth series.

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1893 Resolve, Regarding Legislative Review of Portions of Chapter 850: Health Plan Accountability, a Major Substantive Rule of the Department of Professional and Financial Regulation

Rep. Richardson **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Insurance & Financial Services ***RESOLVE 2011, CH 150***

This resolve provides for legislative review of portions of Chapter 850: Health Plan Accountability, a major substantive rule of the Department of Professional and Financial Regulation.

LD 1903 An Act To Make Additional Supplemental Appropriations and Allocations and To Change Certain Provisions of the Law for the Fiscal Years Ending June 30, 2012 and June 30, 2013

Monitor* http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=125&paper

Appropriations ***PL 2011, CH 655***

Final Supplemental Budget

Maine Hospital Association
Bills Enacted
5/23/2012

LD 1909 An Act To Simplify the Certificate of Need Process and Lessen the Regulatory Burden on Providers

Sen. McCormick **Monitor*** http://www.mainelegislature.org/legis/bills/display_ps.asp?ld=1909&PID=1456&snum=1

Health & Human Services ***PL 2011, CH 648***

This law is the result of a legislatively created directive to DHHS to review its Certificate of Need (CON) processes, with input from provider stakeholders, and make suggestions for streamlining the administrative and regulatory burdens associated with a CON application. The bill generally improves the application process by streamlining requirements, increasing communications and repealing rigid mandates. The Legislation:

1.Repeals a relatively recent legislative change that prohibited any communication between a CON applicant and the Commissioner regarding the application.
2.Repeals the mandate that the Bureau of Insurance conduct an actuarial analysis for every CON applicant but allows the Commissioner to request such an analysis where appropriate.
3.Allows applicants to waive the technical assistance meeting.
4.Also allows applicants to seek a second “technical assistance” meeting to be conducted immediately prior to the department’s issuance of its preliminary analysis.
5.Expands on the current “simplified review” process so that more projects can receive a quicker, less intensive review.
6.Reserves the ability of interested parties to seek public hearings and remove projects from the “simplified review” track.
7.More clearly allows existing Maine providers to rely on their Maine-based operations to satisfy certain CON criteria.
8.Asks DHHS to create CON application forms for certain projects.
9.Amends when “informational” and “public” meetings must be held and how requested.
10.Modifies timelines for review.
11.Eliminates the multiple, mandatory post-construction reports and instead allows DHHS to request reports as necessary for up to 3 years post-construction.
12.Allows DHHS to set CON fees by rule.