

Date: (Filing No. H- )

**HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 168, L.D. 263, “An Act to Ensure Access to Health Care”

Amend the bill by striking out the title and substituting the following:

**'An Act to Ensure Access to Family Planning Services'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 22 MRSA §332, sub-§1**, as enacted by PL 2007, c. 440, §7, is amended to read:

**1. Subsequent review following approval.** When the commissioner has approved an application filed unconditionally or subject to conditions pursuant to section 335, subsection 8, the commissioner may conduct a subsequent review to ensure compliance with any terms or conditions of approval within 3 years after the approved activity is undertaken. The 3-year time limitation does not apply to a subsequent review to ensure that the requirement set forth in section 335, subsection 1, paragraph G continues to be met. In ~~this~~ any subsequent review, the commissioner may hold a public hearing and may consider any material or significant changes in factors or circumstances relied upon by the commissioner in approving the application and significant and relevant information that either is new or was withheld by the applicant at the time of the process under section 335. If, upon review, the commissioner determines that any terms or conditions of the approval have not been met, the commissioner may take enforcement action consistent with subsection 3 and other applicable provisions of this Act.

**Sec. 2. 22 MRSA §335, sub-§1, ¶D**, as amended by PL 2011, c. 424, Pt. B, §15 and affected by Pt. E, §1, is further amended to read:

D. Does not result in inappropriate increases in service utilization, according to the principles of evidence-based medicine adopted by the Maine Quality Forum, as established in Title 24-A, section 6951, when the principles adopted by the Maine Quality Forum are directly applicable to the application; ~~and~~

**COMMITTEE AMENDMENT**



1 any family planning services, including abortion care, except that the commissioner may  
2 approve a project on the basis that the project is only economically and financially feasible  
3 if an obstetrical care service is closed or reduced in capacity and, after considering all  
4 reasonable alternatives, that access to other health care services will be substantially  
5 reduced if the project is not approved;

6 2. The written health impact assessment by the Director of the Maine Center for  
7 Disease Control and Prevention within the Department of Health and Human Services  
8 required by current law must include without limitation an assessment of the impact on  
9 access to family planning services, including abortion care; and

10 3. The commissioner may review and enforce compliance with the approval criterion  
11 added by this legislation even after the 3-year time frame for other subsequent reviews has  
12 expired.

13 **FISCAL NOTE REQUIRED**

14 **(See attached)**