

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

Date: (Filing No. H- )

**HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 773, L.D. 1045, “An Act To Support Universal Health Care”

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

**'Sec. 1. 5 MRSA §12004-G, sub-§14-J** is enacted to read:

**14-J.**

Health Care Maine Health Care Board Compensation 24-A MRSA  
determined under 24-A §7503  
MRSA §7503, sub-§3

**Sec. 2. 24-A MRSA c. 97** is enacted to read:

**CHAPTER 97**

**MAINE HEALTH CARE ACT**

**§7501. Short title**

This chapter may be known and cited as "the Maine Health Care Act."

**§7502. Maine Health Care Plan**

**1. Plan established; requirements.** The Maine Health Care Plan is established to provide for all medically necessary health care services for all residents of the State. The plan must be designed by the Maine Health Care Board under section 7503 in accordance with any requirements of federal law and may not be implemented until the State obtains a waiver for a state-based universal health care plan and receives federal financing to support the implementation of such a plan and until legislation is enacted in accordance with section 7503, subsection 4, paragraph F.

**§7503. Maine Health Care Board**

**COMMITTEE AMENDMENT**

1           **1. Establishment.** The Maine Health Care Board, as established in Title 5, section  
2 12004-G, subsection 14-J, is created to oversee planning and implementation of the Maine  
3 Health Care Plan in accordance with section 7502 and, once fully implemented, to  
4 administer the Maine Health Care Plan.

5           **2. Board composition.** The Maine Health Care Board consists of 17 members,  
6 appointed by the Governor subject to review by the joint standing committee of the  
7 Legislature having jurisdiction over health coverage matters and to confirmation by the  
8 Legislature, as follows:

9           A. Five patient members who would not otherwise qualify for appointment as a  
10 member described in paragraph B or C;

11           B. Five employer members; and

12           C. Seven health care providers as follows:

13                   (1) Two physicians, at least one of whom must be a primary care physician;

14                   (2) One registered nurse;

15                   (3) One mental health provider;

16                   (4) One dentist;

17                   (5) One integrative medicine provider; and

18                   (6) One health care facility director.

19           **3. Term and compensation; selection of chair.** Maine Health Care Board members  
20 serve 4-year terms. Board members shall set the board's compensation at an amount not to  
21 exceed the compensation of Public Utilities Commission members. The board shall select  
22 a chair from its membership.

23           **4. General duties.** The Maine Health Care Board shall:

24           A. Ensure that all of the requirements of this chapter are met;

25           B. Conduct or contract for any necessary actuarial and economic analyses needed to  
26 support the development of a plan pursuant to section 7502 that meets all requirements  
27 of this chapter and in federal law;

28           C. Hire any necessary staff;

29           D. Collaborate with the Maine Health Data Organization and the Maine Quality Forum  
30 to assist the board in carrying out the purposes of this chapter;

31           E. Establish a detailed timeline for implementation and submit for federal approval any  
32 necessary waivers for the plan under section 7502;

33           F. Upon federal approval of a waiver pursuant to paragraph E or, if required by federal  
34 law or regulation, prior to submission of a waiver application, make recommendations  
35 to implement the plan under section 7502, including necessary statutory changes to  
36 establish requirements for benefits under the plan; eligibility for the plan; provider  
37 participation and payments; and financing for the plan. The joint standing committee  
38 of the Legislature having jurisdiction over health coverage matters shall report out  
39 legislation based on the board's recommendations to any regular or special session of  
40 the Legislature;

- 1 G. Once implemented, administer all aspects of the plan under section 7502;
- 2 H. Conduct activities the board considers necessary to carry out the purposes of this
- 3 chapter; and
- 4 I. Adopt rules as necessary to carry out the purposes of this chapter. Rules adopted
- 5 pursuant to this paragraph are routine technical rules as described in Title 5, chapter
- 6 375, subchapter 2-A.

7 **Sec. 3. Staggered terms.** Notwithstanding the Maine Revised Statutes, Title 24-A,  
8 section 7503, subsection 3, with regard to the original appointments of the members of the  
9 Maine Health Care Board, within 60 days of the effective date of this Act, the Governor  
10 shall appoint 4 members for a 2-year term, 5 members for a 3-year term and the 8 remaining  
11 members for a 4-year term.

12 **Sec. 4. Contingent effective date.** This Act does not take effect unless:

- 13 1. Federal law is enacted that authorizes a state to obtain a waiver to establish a state-
- 14 based universal health care plan and to receive federal financing for that plan; and
- 15 2. The Superintendent of Insurance within the Department of Professional and
- 16 Financial Regulation notifies the Secretary of State, the Secretary of the Senate, the Clerk
- 17 of the House of Representatives and the Revisor of Statutes that the contingency set forth
- 18 in subsection 1 has been met.'

19 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
20 number to read consecutively.

## 21 SUMMARY

22 This amendment, which is the majority report of the committee, replaces the bill. The  
23 amendment establishes the Maine Health Care Plan to provide for all medically necessary  
24 health care services for all residents of this State. The amendment also establishes the  
25 Maine Health Care Board to oversee planning and implementation of the plan. The  
26 amendment provides that the effective date of the legislation is contingent on the enactment  
27 of federal law authorizing a state to obtain a waiver to establish a state-based universal  
28 health care plan and to receive federal financing for that plan. The amendment requires  
29 that members of the board be appointed by the Governor within 60 days of the effective  
30 date.

31 The plan must be designed by the Maine Health Care Board in accordance with any  
32 requirements of federal law and may not be implemented until the State obtains a waiver  
33 for a state-based universal health care plan and receives federal financing to support the  
34 implementation of such a plan and until legislation is enacted to establish requirements for  
35 benefits under the plan; eligibility for the plan; provider participation and payments; and  
36 financing for the plan. Upon federal approval of a waiver or, if required by federal law or  
37 regulation, prior to submission of a waiver application, the amendment requires the board  
38 to make recommendations for legislation and directs the joint standing committee of the  
39 Legislature having jurisdiction over health coverage matters to report out legislation based  
40 on the board's recommendations to any regular or special session of the Legislature.