1	L.D. 1497
2	Date: (Filing No. H-
3	Reproduced and distributed under the direction of the Clerk of the House.
4	STATE OF MAINE
5	HOUSE OF REPRESENTATIVES
6	125TH LEGISLATURE
7	SECOND REGULAR SESSION
8 9 10	HOUSE AMENDMENT " " to COMMITTEE AMENDMENT "A" to H.P. 1098 L.D. 1497, Bill, "An Act To Comply with the Health Insurance Exchange Provision of the Patient Protection and Affordable Care Act"
11 12 13 14 15	Amend the amendment in section 1 in §2188 in subsection 1 in paragraph B in the last line (page 1, line 25 in amendment) by inserting after the following: "Act." the following: 'For the purposes of this section, if an organization or business entity serves as a navigator, an individual performing navigator duties for that organization or business entity is considered to be acting in the capacity of a navigator within the meaning or subsection 4.'
17 18	Amend the amendment in section 1 in §2188 by striking out all of subsection 2 and inserting the following:
19 20 21 22	'2. Permitted insurance producer or consultant activities. Only a person licensed as an insurance producer in this State in accordance with chapter 16, or, with respect to paragraph B, a person licensed as a consultant in accordance with chapter 16, may:  A. Sell, solicit or negotiate health insurance;
23 24 25	B. Make recommendations to purchasers, enrollees or employers or prospective purchasers or enrollees concerning the substantive benefits, terms or conditions of health plans; or
26 27 28	C. Enroll an individual or employee in a qualified health plan offered through ar exchange or act as an intermediary between an employer and an insurer that offers a qualified health plan offered through an exchange.'
29 30 31	Amend the amendment in section 1 in §2188 in subsection 3 in paragraph C in the first line (page 2, line 8 in amendment) by inserting after the following: "rules" the following: ', to the extent permitted by the federal Affordable Care Act,'
32 33	Amend the amendment in section 1 in §2188 in subsection 3 by striking out all of the last blocked paragraph (page 2, lines 11 and 12 in amendment)
34 35	Amend the amendment in section 1 in §2188 in subsection 4 by striking out all or paragraph C (page 2, lines 21 and 22 in amendment) and inserting the following:

1 2	'C. Has submitted to any criminal history record check or regulatory background check required by the superintendent by rule;'
3 4	Amend the amendment in section 1 in §2188 by inserting after subsection 6 the following:
5 6 7	'7. Rules. The superintendent may adopt rules as necessary to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.'
8	SUMMARY
9 10	This amendment incorporates the substantive provisions of House Amendment "A" except that the amendment removes references to fingerprinting.
11 12 13 14	The amendment also clarifies the definition of "navigator" to include individuals performing the duties of a navigator on behalf of an organization or business entity. The amendment makes other technical and clarifying changes to Committee Amendment "A" to be consistent with existing state law and rule and federal law and regulations.
15	SPONSORED BY:
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