

**CHAPTER 97**

**MAINE HEALTH CARE ACT**

**(WHOLE CHAPTER FUTURE CONFLICT: Text as enacted by PL 2021, c. 391, §2)**

**(WHOLE CHAPTER TEXT EFFECTIVE UPON CONTINGENCY: See PL 2021, c. 391, §4)**

**§7501. Short title**

**(CONFLICT)**

**(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)**

**(WHOLE SECTION FUTURE CONFLICT: Text as enacted by PL 2021, c. 391, §2)**

**(WHOLE SECTION TEXT EFFECTIVE UPON CONTINGENCY: See PL 2021, c. 391, §4)**

This chapter may be known and cited as "the Maine Health Care Act." [PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]

**SECTION HISTORY**

PL 2021, c. 391, §2 (NEW). PL 2021, c. 391, §4 (AFF).

**§7502. Maine Health Care Plan**

**(CONFLICT)**

**(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)**

**(WHOLE SECTION FUTURE CONFLICT: Text as enacted by PL 2021, c. 391, §2)**

**(WHOLE SECTION TEXT EFFECTIVE UPON CONTINGENCY: See PL 2021, c. 391, §4)**

**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. [PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]

**SECTION HISTORY**

PL 2021, c. 391, §2 (NEW). PL 2021, c. 391, §4 (AFF).

**§7503. Maine Health Care Board**

**(CONFLICT)**

**(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)**

**(WHOLE SECTION FUTURE CONFLICT: Text as enacted by PL 2021, c. 391, §2)**

**(WHOLE SECTION TEXT EFFECTIVE UPON CONTINGENCY: See PL 2021, c. 391, §4)**

**1. Establishment.** The Maine Health Care Board, as established in Title 5, section 12004-G, subsection 14-J, is created to oversee planning and implementation of the Maine Health Care Plan in accordance with section 7502 and, once fully implemented, to administer the Maine Health Care Plan. [PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]

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

- A. Five patient members who would not otherwise qualify for appointment as a member described in paragraph B or C; [PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]
- B. Five employer members; and [PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]
- C. Seven health care providers as follows:
  - (1) Two physicians, at least one of whom must be a primary care physician;
  - (2) One registered nurse;
  - (3) One mental health provider;
  - (4) One dentist;
  - (5) One integrative medicine provider; and
  - (6) One health care facility director. [PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]

[PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]

**3. Term and compensation; selection of chair.** Maine Health Care Board members serve 4-year terms. Board members shall set the board's compensation at an amount not to exceed the compensation of Public Utilities Commission members. The board shall select a chair from its membership. [PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]

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

- A. Ensure that all of the requirements of this chapter are met; [PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]
- B. Conduct or contract for any necessary actuarial and economic analyses needed to support the development of a plan pursuant to section 7502 that meets all requirements of this chapter and in federal law; [PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]
- C. Hire any necessary staff; [PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]
- D. Collaborate with the Maine Health Data Organization and the Maine Quality Forum to assist the board in carrying out the purposes of this chapter; [PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]
- E. Establish a detailed timeline for implementation and submit for federal approval any necessary waivers for the plan under section 7502; [PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]
- F. Upon federal approval of a waiver pursuant to paragraph E or, if required by federal law or regulation, prior to submission of a waiver application, make recommendations to implement the plan under section 7502, including necessary statutory changes to establish requirements for benefits under the plan; eligibility for the plan; provider participation and payments; and financing for the plan. The joint standing committee of the Legislature having jurisdiction over health coverage matters shall report out legislation based on the board's recommendations to any regular or special session of the Legislature; [PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]
- G. Once implemented, administer all aspects of the plan under section 7502; [PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]
- H. Conduct activities the board considers necessary to carry out the purposes of this chapter; and [PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]

I. Adopt rules as necessary to carry out the purposes of this chapter. Rules adopted pursuant to this paragraph are routine technical rules as described in Title 5, chapter 375, subchapter 2-A. [PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]  
[PL 2021, c. 391, §2 (NEW); PL 2021, c. 391, §4 (AFF).]

**SECTION HISTORY**

PL 2021, c. 391, §2 (NEW). PL 2021, c. 391, §4 (AFF).

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