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Date: (Filing No. H-)

HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

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**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.