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An Act To Enhance Public Awareness of Lyme Disease

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Department of Health and Human Services, Maine Center for Disease Control and Prevention reports that in 2008 and 2009 there were over 900 confirmed cases of Lyme disease in the State and the United States Department of Health and Human Services, Centers for Disease Control and Prevention indicates that the actual incidence of Lyme disease is approximately 10 times the amount reported; and

Whereas, this Act designates the month of May as Lyme Disease Awareness Month to raise public awareness and improve education for the prevention, diagnosis and treatment of Lyme disease; and

Whereas, immediate enactment is necessary so that public awareness and education efforts related to Lyme disease and other tick-borne illnesses are conducted throughout the State this May; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 1 MRSA §150-E is enacted to read:

§ 150-E. Lyme Disease Awareness Month

The month of May of each year is designated as Lyme Disease Awareness Month, and the Governor shall annually issue a proclamation inviting and urging the people of the State to observe the month through appropriate activities. During the month, the Department of Health and Human Services, Maine Center for Disease Control and Prevention shall make information available to the public to improve education and awareness about the prevention, diagnosis and treatment of Lyme disease that is consistent with the recommendations of the United States Department of Health and Human Services.

Sec. 2. 22 MRSA §1645, sub-§1, ¶B, as enacted by PL 2007, c. 561, §1, is amended to read:

B. The diagnosis and treatment guidelines for Lyme disease recommended by the Maine Center for Disease Control and Prevention and the federalUnited States Department of Health and Human Services, Centers for Disease Control and Prevention;

Sec. 3. 22 MRSA §1645, sub-§1, ¶C, as enacted by PL 2007, c. 561, §1, is amended to read:

C. A summary or bibliography of peer-reviewed medical literature and studies related to the diagnosis, medical management and the treatment of Lyme disease and other tick-borne illnesses, including, but not limited to, the recognition of chronic Lyme disease and the use of long-term antibiotic treatment;

Sec. 4. 22 MRSA §1645, sub-§3 is enacted to read:

3. Publicly accessible website. The Maine Center for Disease Control and Prevention shall maintain a publicly accessible website to provide public awareness and education on Lyme disease and other tick-borne illnesses. The website must provide information on the prevention, diagnosis and treatment of Lyme disease and other tick-borne illnesses for use by health care providers and the public, including, but not limited to, links to resources made available and recommended by the United States Department of Health and Human Services.

Sec. 5. 24-A MRSA §4302, sub-§5, as enacted by PL 2007, c. 561, §2, is amended to read:

5. Annual report; claims for diagnosis and treatment of Lyme disease and other tick-borne illnesses. By February 1st of each year, all carriers shall file with the superintendent for the most recent calendar year for all covered individuals in the State the total claims made for the diagnosis and treatment of Lyme disease and other tick-borne illnesses. The filing must include information on the number of claims made for the diagnosis and treatment of Lyme disease and other tick-borne illnesses, the total dollar amount of those claims, the number of claim denials and the reasons for those denials, the number and outcome of internal appeals and the number of external appeals related to the diagnosis and treatment of Lyme disease and other tick-borne illnesses. The superintendent shall compile from all carriers this data in an annual report and submit the report by March 15th of each year to the joint standing committee of the Legislature having jurisdiction over health insurance matters. The superintendent shall consult with the Department of Health and Human Services, Maine Center for Disease Control and Prevention to determine any additional information to be collected from carriers, beginning with data for calendar year 2011.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective 90 days following adjournment of the 124th
Legislature, Second Regular Session, unless otherwise indicated.