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**Public Law**  
123rd Legislature  
First Regular Session

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**Chapter 97**  
**H.P. 613 - L.D. 813**

**An Act To Provide an Energy Allowance  
to At-home Patients Using Ventilators**

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

**Sec. 1. 35-A MRSA §3214, sub-§5, ¶A,** as enacted by PL 2005, c. 132, §1, is amended to read:

A. The equitable-treatment program must be available to any person who:

(1) Is eligible for benefits under the transmission and distribution utility's low-income assistance program established in accordance with subsection 2; and

(2) Provides documentation from a doctor that the person for health reasons needs an oxygen pump or ventilator at least 8 hours each day.

**Sec. 2. 35-A MRSA §3214, sub-§5, ¶B,** as enacted by PL 2005, c. 132, §1, is amended to read:

B. The equitable-treatment program must be designed to ensure that the low-income assistance benefits provided under this section to persons who qualify under paragraph A mitigate, to an extent that is reasonably equivalent in each transmission and distribution utility territory, electric charges associated with the operation of an oxygen pump or ventilator. The commission may not reduce any assistance provided under any low-income assistance program established under subsection 2 in order to satisfy the requirements of this paragraph.

**Sec. 3. 35-A MRSA §3214, sub-§6** is enacted to read:

**6. Annual report.** The commission shall report by November 1st of each year to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on low-income assistance programs established or approved under subsection 2 or 3 and any equitable-treatment program established pursuant to subsection 5. The report must, at a minimum, include:

A. For each month of the program year, the number of participants enrolled in low-income assistance programs, the number receiving oxygen pump benefits and the number receiving ventilator benefits;

B. For each month of the program year, the dollar amount of low-income assistance program benefits, the dollar amount of oxygen pump benefits and the dollar amount of ventilator benefits; and

C. An assessment of the effectiveness of the oxygen pump benefit and the ventilator benefit with regard to covering only those electric charges directly related to use of an oxygen pump or ventilator by the program participant.

**Sec. 4. Report; medical devices under equitable-treatment program.** The Public Utilities Commission shall examine medical devices that may be appropriate for inclusion in the equitable-treatment program established pursuant to the Maine Revised Statutes, Title 35-A, section 3214. For each medical device examined, the commission shall assess its electricity requirements and typical usage patterns and gather data on the number of residential electricity customers and low-income program participants currently using the device. The commission shall report its findings to the Joint Standing Committee on Utilities and Energy no later than January 15, 2008.

Effective September 20, 2007