

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

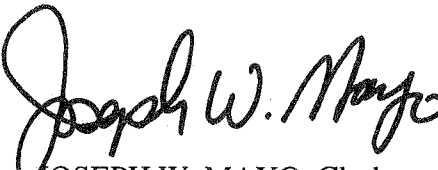
No. 766

H.P. 575

House of Representatives, February 4, 1997

**An Act to Provide Options under Managed Care Plans for Counseling by
a Primary Care Physician.**

Reference to the Committee on Banking and Insurance suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative CHARTRAND of Rockland.
Cosponsored by Senator KILKELLY of Lincoln and
Representatives: GREEN of Monmouth, McALEVEY of Waterboro, MITCHELL of Portland,
PERKINS of Penobscot, PIEH of Bremen, SKOGLUND of St. George, TRIPP of Topsham,
Senator: TREAT of Kennebec.

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

4 Sec. 1. 24-A MRSA §4306, as enacted by PL 1995, c. 673, Pt.
6 C, §1 and affected by §2, is repealed and the following enacted
8 in its place:

10 §4306. Enrollee choice of primary care physician

12 1. Choice of primary care physician. A carrier offering a
14 managed care plan shall allow enrollees to choose their own
16 primary care physicians, as allowed under the managed care plan's
18 rules, from among the panel of participating providers made
20 available to enrollees under the managed care plan's rules. A
22 managed care plan must allow enrollees to change primary care
24 physicians without good cause at least once annually and to
26 change with good cause as necessary. When an enrollee fails to
28 choose a primary care physician, the managed care plan may assign
30 the enrollee a primary care physician located in the same
32 geographic area in which the enrollee resides.

34 2. Mental health service provided by primary care
36 physician. Notwithstanding any other provision of law or any
38 provision of an insurance policy or contract, a primary care
physician may provide office-based mental health services,
including individual counseling and psychotherapy services, to an
enrollee of a managed care plan at the option of the enrollee. A
primary care physician that provides mental health services under
this subsection must be reimbursed for mental health services at
the same level of reimbursement given to a mental health
provider credentialed by the managed care plan for the provision
of mental health services. This subsection does not require a
primary care physician to be credentialed by a managed care plan
for the provision of mental health services to persons other than
enrollees under the primary care physician's care.

40 **SUMMARY**

42 This bill allows primary care physicians to provide
44 office-based mental health services to enrollees in managed care
plans if the enrollee chooses to receive counseling from the
primary care physician. The bill also requires the managed care
plan to reimburse a primary care physician for mental health
services at the same level of reimbursement as a mental health
provider credentialed by the managed care plan.