

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 992

S.P. 338

In Senate, February 4, 1999

**An Act to Establish Parity for Patients of Certified Nurse Practitioners
and Certified Nurse Midwives.**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PENDLETON of Cumberland.
Cosponsored by Representative CAMERON of Rumford and
Senators: BENOIT of Franklin, GOLDTHWAIT of Hancock, PINGREE of Knox, RAND of
Cumberland, Representatives: COLWELL of Gardiner, MADORE of Augusta, McALEVEY
of Waterboro, SULLIVAN of Biddeford.

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

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Sec. 1. 24-A MRSA §2756 is enacted to read:

§2756. Coverage for services performed by certified nurse practitioners and certified nurse midwives

1. Parity of coverage. Notwithstanding any other provisions of this chapter, every insurer that issues individual health policies and contracts providing coverage for services performed by any certified nurse practitioner and any certified nurse midwife who is employed under the supervision of a physician shall also provide coverage when those services are performed by any certified nurse practitioner and any certified nurse midwife who is qualified to perform advanced practice registered nursing, as defined in Title 32, section 2102, subsection 2-A, and who is no longer practicing under the supervision of a physician and when those services are within the scope of practice of the certified nurse practitioner or certified nurse midwife.

2. Limits; coinsurance; deductibles. Any contract that provides coverage for the services required by this section may contain provisions for maximum benefits and coinsurance and reasonable limitations, deductibles and exclusions to the extent that these provisions are not inconsistent with the requirements of this section.

3. Reports to superintendent. Every insurer subject to this section shall report its experience for each calendar year to the superintendent not later than April 30th of the following year. The report must be in a form prescribed by the superintendent and must include the amount of claims paid in this State for the services required by this section and the total amount of claims paid in this State for health care contracts. The superintendent shall compile this data for all insurers in an annual report.

Sec. 2. 24-A MRSA §2847-G is enacted to read:

§2847-G. Services performed by certified nurse practitioners and certified nurse midwives

1. Parity of coverage. Notwithstanding any other provisions of this chapter, every insurer that issues group or blanket health care contracts providing coverage for services performed by any certified nurse practitioner and any certified nurse midwife who is employed under the supervision of a physician shall also provide coverage when those services are performed by any certified nurse practitioner and any certified

2 nurse midwife who is qualified to perform advance practice
3 registered nursing, as defined in Title 32, section 2102,
4 subsection 2-A, and who is no longer practicing under the
5 supervision of a physician and when those services are within the
6 scope of practice of the certified nurse practitioner or
7 certified nurse midwife.

8 2. Limits; coinsurance; deductibles. Any contract that
9 provides coverage for the services required by this section may
10 contain provisions for maximum benefits and coinsurance and
11 reasonable limitations, deductibles and exclusions to the extent
12 that these provisions are not inconsistent with the requirements
13 of this section.

14 3. Reports to superintendent. Every insurer subject to
15 this section shall report its experience for each calendar year
16 to the superintendent not later than April 30th of the following
17 year. The report must be in a form prescribed by the
18 superintendent and must include the amount of claims paid in this
19 State for the services required by this section and the total
20 amount of claims paid in this State for health care contracts.
21 The superintendent shall compile this data for all insurers in an
22 annual report.

23 **Sec. 3. 24-A MRSA §4245 is enacted to read:**

24 **§4245. Coverage for services performed by certified nurse**
25 **practitioners and certified nurse midwives**

26 1. Parity of coverage. Notwithstanding any other
27 provisions of this chapter, every health maintenance organization
28 that issues individual or group contracts providing coverage for
29 services performed by any certified nurse practitioner and any
30 certified nurse midwife who is employed under the supervision of
31 a physician shall also provide coverage when those services are
32 performed by any certified nurse practitioner and any certified
33 nurse midwife who is qualified to perform advanced practice
34 registered nursing, as defined in Title 32, section 2102,
35 subsection 2-A, and who is no longer practicing under the
36 supervision of a physician and when those services are within the
37 scope of practice of the certified nurse practitioner or
38 certified nurse midwife.

39 2. Limits; coinsurance; deductibles. Any contract that
40 provides coverage for the services required by this section may
41 contain provisions for maximum benefits and coinsurance and
42 reasonable limitations, deductibles and exclusions to the extent
43 that these provisions are not inconsistent with the requirements
44 of this section.

2 3. Reports to superintendent. Every insurer subject to
3 this section shall report its experience for each calendar year
4 to the superintendent not later than April 30th of the following
5 year. The report must be in a form prescribed by the
6 superintendent and must include the amount of claims paid in this
7 State for the services required by this section and the total
8 amount of claims paid in this State for health care contracts.
9 The superintendent shall compile this data for all insurers in an
10 annual report.

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SUMMARY

14 This bill requires a health insurer or health maintenance
15 organization that provides coverage for the services performed by
16 any certified nurse practitioner and any certified nurse midwife
17 working under the supervision of a physician to also provide
18 coverage for those same services when performed by any certified
19 nurse practitioner or any certified nurse midwife not working
20 under the supervision of a physician, assuming those services are
21 within the scope of practice of the certified nurse practitioner
22 or certified nurse midwife.