

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

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Legislative Document

No. 582

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S.P. 265

In Senate, February 25, 2025

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### **An Act to Require Health Insurance Carriers to Provide Coverage for Blood Testing for Perfluoroalkyl and Polyfluoroalkyl Substances**

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Received by the Secretary of the Senate on February 19, 2025. Referred to the Committee on Health Coverage, Insurance and Financial Services pursuant to Joint Rule 308.2 and ordered printed.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator BRENNER of Cumberland.  
Cosponsored by Representative FLYNN of Albion and  
Senators: BAILEY of York, BALDACCI of Penobscot, BLACK of Franklin, INGWERSEN of  
York, Representatives: ARFORD of Brunswick, HYMES of Waldo, MATHIESON of Kittery,  
PARRY of Arundel.

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

2 **Sec. 1. 24-A MRSA §4320-W** is enacted to read:

3 **§4320-W. Coverage for blood testing for PFAS**

4 **1. Definition.** As used in this section, unless the context otherwise indicates,  
5 "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means any member of the class  
6 of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

7 **2. Required coverage.** A carrier offering a health plan in this State shall provide  
8 coverage for blood testing for perfluoroalkyl and polyfluoroalkyl substances that is  
9 recommended by a provider as medically necessary health care for an enrollee. For the  
10 purposes of this subsection, blood testing for PFAS is presumed to be medically necessary  
11 health care for an enrollee if a provider determines that the enrollee meets clinical  
12 guidelines for blood testing for PFAS established by the National Academies of Sciences,  
13 Engineering, and Medicine, its successor organization or a comparable organization.

14 **3. Cost sharing prohibited.** A health plan may not impose any deductible,  
15 copayment, coinsurance or other cost-sharing requirement for the costs of blood testing  
16 required to be covered under subsection 2. This subsection does not apply to a health plan  
17 offered for use with a health savings account unless the federal Internal Revenue Service  
18 determines that the requirements in this subsection are permissible in a high deductible  
19 health plan as defined in the federal Internal Revenue Code, Section 223(c)(2).

20 **Sec. 2. Expansion of the State's essential health benefits; legislative finding.**  
21 The Legislature finds that the requirements of this Act to provide coverage for blood testing  
22 for perfluoroalkyl and polyfluoroalkyl substances for the purposes of appropriate  
23 management or ongoing monitoring of a disease or condition when supported by medical  
24 and scientific evidence are not an expansion of the State's essential health benefits and do  
25 not require defrayal of costs by the State pursuant to 42 United States Code, Section  
26 18031(d)(3)(B) because the State's essential health benefits currently include coverage for  
27 outpatient laboratory services.

28 **Sec. 3. Application.** This Act applies to all policies, contracts and certificates  
29 executed, delivered, issued for delivery, continued or renewed in this State on or after  
30 January 1, 2026. For purposes of this Act, all contracts are deemed to be renewed no later  
31 than the next yearly anniversary of the contract date.

32 **SUMMARY**

33 This bill requires carriers offering health plans in this State to provide coverage for  
34 blood testing for perfluoroalkyl and polyfluoroalkyl substances, or PFAS, recommended  
35 by a provider as medically necessary health care in accordance with clinical guidelines  
36 established by the National Academies of Sciences, Engineering, and Medicine. The  
37 requirements of the bill apply to health plans issued or renewed on or after January 1, 2026.  
38 The bill also includes language stating the Legislature's finding that the requirement for  
39 coverage for blood testing for perfluoroalkyl and polyfluoroalkyl substances are not an  
40 expansion of the State's essential health benefits and do not require the State to defray costs  
41 pursuant to the federal Patient Protection and Affordable Care Act.