

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 955

S.P. 411

In Senate, March 11, 2025

An Act to Ensure Human Oversight in Medical Insurance Payment Decisions

Received by the Secretary of the Senate on March 6, 2025. Referred to the Committee on Health Coverage, Insurance and Financial Services pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MARTIN of Oxford.
Cosponsored by Representative ZAGER of Portland and
Senators: BENNETT of Oxford, CYRWAY of Kennebec, HARRINGTON of York, TIPPING
of Penobscot, Representatives: Speaker FECTEAU of Biddeford, MORRIS of Turner,
SOBOLESKI of Phillips.

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

2 **Sec. 1. 24-A MRSA §2436, sub-§2-D** is enacted to read:

3 2-D. For a claim submitted by a health care provider or health care facility with respect
4 to a carrier as defined in section 4301-A, subsection 3 on or after January 1, 2026, a carrier
5 may not deny a claim based solely on the use of artificial intelligence. For the purposes of
6 this subsection, "artificial intelligence" means a computerized system capable of making
7 decisions or recommendations based on algorithms and data analysis.

8 **Sec. 2. 24-A MRSA §4304, sub-§8** is enacted to read:

9 **8. Use of artificial intelligence.** Beginning January 1, 2026, a carrier may not make
10 medical review or utilization review determinations relating to the approval, denial or
11 adjustment of coverage for services under a health plan based solely on the use of artificial
12 intelligence. Before a carrier denies benefits or reduces payment for services using artificial
13 intelligence, the carrier shall conduct a utilization review done by a physician who is
14 licensed in this State, including a review of the medical necessity of the services, the
15 professional judgment of the enrollee's provider and the impact of any denial of benefits or
16 reduction in payment on the enrollee's health outcomes. An enrollee or provider has the
17 right to appeal any determination under this subsection in accordance with section 4303,
18 subsection 4. For the purposes of this subsection, "artificial intelligence" means a
19 computerized system capable of making decisions or recommendations based on
20 algorithms and data analysis.

21 **Sec. 3. 24-A MRSA §4304, sub-§9** is enacted to read:

22 **9. Rulemaking.** The bureau shall adopt rules to implement the provisions of
23 subsection 8 related to the use of artificial intelligence by a carrier. Rules adopted pursuant
24 to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter
25 2-A.

26 **Sec. 4. 24-A MRSA §4304, sub-§10** is enacted to read:

27 **10. Reporting on use of artificial intelligence.** Beginning April 15, 2026 and
28 quarterly thereafter, a carrier shall report to the bureau on the number of denials of coverage
29 under subsection 8, the outcome of the review conducted by a licensed physician in
30 accordance with subsection 8 and the number of appeals of a determination under
31 subsection 8 and the outcome of those appeals. Beginning February 1, 2027 and annually
32 thereafter, the bureau shall submit a report summarizing the quarterly reports from carriers
33 to the joint standing committee of the Legislature having jurisdiction over health insurance
34 matters.

35 **Sec. 5. Use of artificial intelligence by health insurance carriers;**
36 **rulemaking.** No later than November 1, 2025, the Department of Professional and
37 Financial Regulation, Bureau of Insurance shall adopt rules relating to the use of artificial
38 intelligence as required by the Maine Revised Statutes, Title 24-A, section 4304, subsection
39 9.

40 **SUMMARY**

41 This bill prohibits, beginning January 1, 2026, health insurance carriers from denying
42 coverage or claims for services under a health plan solely based on the use of artificial

1 intelligence. The bill requires that, before a carrier denies benefits or reduces payment for
2 services using artificial intelligence, a carrier must conduct a utilization review done by a
3 physician who is licensed in this State that includes a review of the medical necessity of
4 the services, the professional judgment of the enrollee's provider and the impact of any
5 denial of benefits or reduction in payment on the enrollee's health outcomes. The bill
6 requires carriers and the Department of Professional and Financial Regulation, Bureau of
7 Insurance to report on a quarterly and annual basis, respectively, on the use of artificial
8 intelligence. The bill also requires the bureau to adopt rules related to the use of artificial
9 intelligence by carriers no later than November 1, 2025.