

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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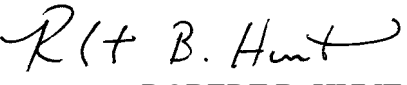
House of Representatives, April 8, 2025

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### An Act to Expand Direct Health Care Service Arrangements

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Reference to the Committee on Health Coverage, Insurance and Financial Services suggested and ordered printed.

  
ROBERT B. HUNT  
Clerk

Presented by Representative MORRIS of Turner.

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

2               **Sec. 1. 22 MRSA §1771**, as enacted by PL 2017, c. 112, §1, is amended to read:

3       **§1771. Direct primary health care service agreements**

4               **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
5 following terms have the following meanings.

6               A. "Direct primary health care service agreement" means a contractual agreement  
7 between a direct primary health care provider and an individual patient, or the patient's  
8 legal representative, in which:

9                       (1) The direct primary health care provider agrees to provide primary health care  
10 services to the individual patient for an agreed-to fee over an agreed-to period of  
11 time; and

12                      (2) The direct primary health care provider agrees not to bill 3rd parties on a fee-  
13 for-service or capitated basis for services already covered in the direct primary care  
14 service agreement.

15               B. "Direct primary health care provider" means an individual who is a licensed  
16 allopathic physician or osteopathic physician or other advanced health care practitioner  
17 who is authorized to engage in independent medical practice in this State, ~~who is~~  
18 ~~qualified to provide primary care services~~ and who chooses to practice direct primary  
19 health care by entering into a direct primary health care service agreement with  
20 patients. The term includes, but is not limited to, an individual primary health care  
21 provider or a group of primary health care providers.

22               C. ~~"Primary care" means outpatient, nonspecialty health care services or the~~  
23 ~~coordination of health care for the purpose of:~~

24                       (1) ~~Promoting or maintaining mental and physical health and wellness; and~~

25                       (2) ~~The diagnosis, treatment or management of acute or chronic conditions caused~~  
26 ~~by disease, injury or illness.~~

27               D. "Health care" has the same meaning as in section 1711-C, subsection 1, paragraph  
28 C.

29               **2. Not insurance.** A direct primary health care service agreement is not an insurance  
30 policy and is not subject to regulation by the Department of Professional and Financial  
31 Regulation, Bureau of Insurance.

32               **3. Ability to contract.** A direct primary health care service agreement is an agreement  
33 between the direct primary health care provider and either an individual or the individual's  
34 representative, regardless of whether the periodic fee or other fees are paid by the  
35 individual, the individual's representative or a 3rd party.

36               **4. Covered services.** A direct primary health care service agreement covers only the  
37 services specified in the agreement. Any goods or services that are not covered by the  
38 direct primary health care service agreement may be billed separately.

39               **5. Disclosure.** A direct primary health care service agreement must clearly state within  
40 the agreement that direct primary health care services are not considered health insurance  
41 and do not meet requirements of any federal law mandating individuals to purchase health

1 insurance and that the fees charged in the agreement may not be reimbursed or apply  
2 towards a deductible under a health insurance policy with an insurer.

3 **6. Other care not prohibited.** ~~A primary care provider is considered a direct primary~~  
4 ~~care provider only when the provider is engaged in a direct primary care service agreement~~  
5 ~~with a patient or group of patients. A primary care provider is not prohibited from~~  
6 ~~providing care to other patients under a separate agreement or contract with an insurer.~~

7 **7. Other agreements not prohibited.** This section does not prohibit a direct primary  
8 care provider from entering into:

9 A. An agreement with an insurer offering a policy specifically designed to supplement  
10 a direct primary care service agreement; or

11 B. A pilot program for direct primary care with a federal or state agency that provides  
12 health coverage.

### 13 SUMMARY

14 Under current law, an individual can contract directly with a direct primary care  
15 provider, which is a licensed allopathic or osteopathic physician or other advanced health  
16 care practitioner who is authorized to provide primary care services, for the provision of  
17 health care to that individual. This bill removes the requirement that the physician or  
18 advanced health care practitioner be authorized to provide primary care services. The bill  
19 also repeals provisions of law that do not expressly authorize or prohibit a primary care  
20 provider from providing care to other patients or from entering into an agreement with an  
21 insurer or a pilot program with a federal or state agency that provides health coverage.