

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 754

S. P. 257

In Senate, February 12, 1973

Referred to the Committee on Business Legislation. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Hichens of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

**AN ACT to Provide Free Choice of Practitioners for Visual Service
under Health Insurance Contracts.**

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

Sec. 1. R. S., T. 24-A, § 270-A, additional. Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended by adding a new section 2703-A to read as follows:

§ 2703-A. Visual service-free choice of practitioner

Whenever any policy or contract of health insurance issued in this State provides for coverage of any service which may be provided by a duly licensed optometrist as defined in Title 32, chapter 35, the insured or other person entitled to benefits under such policy shall be entitled to reimbursement for such services whether such services are performed by a duly licensed physician or a duly licensed optometrist, notwithstanding any contrary provision in any such policy.

Sec. 2. R. S., T. 24-A, § 2809-A, additional. Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended by adding a new section 2809-A to read as follows:

§ 2809-A. Visual service-free choice of practitioner

Whenever any policy or contract of group health insurance or blanket health insurance issued in this State provides for coverage of any service which may be provided by a duly licensed optometrist as defined in Title 32, chapter 35, the insured or other person entitled to benefits under such policy shall be entitled to reimbursement for such services whether such services are

performed by a duly licensed physician or a duly licensed optometrist, notwithstanding any contrary provision in any such policy.

STATEMENT OF FACT

The foregoing amendments to chapters 33 and 35 of Title 24-A are enacted to permit individuals insured under private health and group health insurance policies to recover benefits for eye treatment rendered by a qualified optometrist as well as by an ophthalmologist, contrary provisions in the policy itself notwithstanding. The provisions are similar in scope to a number of so-called "free choice laws" passed in other jurisdictions in response to the practice of certain insurance companies which limit their eye care coverage according to the type of practitioner rendering service.

By these amendments the opportunity for selection presently in effect for non-profit health care plans is extended into the private insurance field.