

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1302

H. P. 1023

House of Representatives, March 20, 1975

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

EDWIN H. PERT, Clerk

Presented by Mrs. Clark of Freeport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to the Freedom of Subscribers to Hospital, Medical Service or Health Care Plans to Choose a Psychologist to Provide Mental Health Services.

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

24 MRSA § 2303, as amended by PL 1969, c. 419, § 2, is repealed and the following enacted in place thereof:

§ 2303. Mental health services

1. Such corporation mentioned in section 2301 may enter into contracts for the rendering of health care to the subscribers only with institutions or persons licensed by the appropriate departments or boards of the several states. All contracts for the provision of health care issued by such corporation shall constitute direct obligations of the provider of health care with which such corporation has contracted for such care. Contracts issued under a health care plan shall provide that the private provider-patient relationship shall exist between the patient and provider of health care, that the patient shall have a free choice of any provider of health care able and willing to provide such services, all of which shall be based upon definite agreements covering health care provided through duly licensed providers, and any such provider of health care shall be free to refuse service for appropriate professional reasons. Nothing in this section shall be construed to prohibit reciprocal arrangements for the exchange of health care between similar nonprofit hospital and medical service plans.

2. Notwithstanding any provision of a contract between a subscriber and a nonprofit hospital or medical service organization entered into pursuant to

a hospital service plan, medical service plan or health care plan authorized under this chapter, and notwithstanding any other provision of this chapter, whenever the contract provides for payment or reimbursement for diagnosis and treatment of mental, nervous or emotional disorders or ailments, payment or reimbursement for the provision of these services shall not be denied because the services are provided by a licensed psychologist acting within the the scope of his or her license. This subsection shall apply to all contracts between a subscriber and a nonprofit hospital or medical service organization which are subject to this chapter.

3. Nothing in subsection 2 shall be construed to require a nonprofit hospital or medical service organization to provide contract coverage for the diagnosis and treatment of mental, nervous or emotional disorders or ailments.

STATEMENT OF FACT

The purpose of this bill is to permit freedom of individual health insurance policyholders to choose a psychologist to provide mental health services.