

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 308

S. P. 131

In Senate, February 2, 1979

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

Presented by Mr. Pray of Penobscot.

Cosponsors: Mr. Hichens of York.

MAY M. ROSS, Secretary of the Senate.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Include Services Performed by Chiropractors under Health Insurance Policies and Health Care Contracts which Pay Benefits for those Procedures if Performed by a Physician.

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

Sec. 1. **24 MRSA § 2303-B** is enacted to read:

§ 2303-B. Services covered by health care contracts whether performed by physician or chiropractor

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 terms "physician," "doctor" or any like terms are used in any contract for the provision of health care services or benefits under a hospital service plan, medical care service plan or health care plan operated by a nonprofit hospital or medical service organization operating pursuant to this chapter, these terms shall include within their meaning those persons licensed under and in accordance with the laws relating to the practice of chiropractic, Title 32, chapter 9, in respect to any care, services, procedures or benefits covered by the contract which those persons are licensed to perform.

Every hospital service plan, medical service plan or health care plan subject to this chapter which provides for payment or reimbursement for the services of a "physician," "doctor" or any like terms shall also expressly provide that any person covered by the hospital service plan, medical service plan or health care plan shall be entitled to payment or reimbursement for the comparable services of a chiropractor to the extent the services are within the lawful scope of practice of a chiropractor licensed to practice in this State. Every hospital service plan, medical service plan or health care plan subject to this chapter which provides for payment or reimbursement for services which, in fact, are within the lawful scope of practice of a chiropractor licensed to practice in this State shall expressly provide that any person covered by the plan shall be entitled to payment or reimbursement for these services if the services are performed by a chiropractor licensed to practice in this State. This section shall apply to all health care contracts between a subscriber and a nonprofit hospital or medical service organization issued, renewed, modified, altered, amended or reissued on or after the effective date of this section.

Sec. 2. 24-A MRSA § 2438 is enacted to read:

§ 2438. Services covered by insurance policies whether provided by physician or chiropractor

Notwithstanding any provision of a health insurance policy subject to this chapter and notwithstanding any other provision of this chapter whenever the terms "physician," "doctor" or any like terms are used in any policy of health, casualty or accident insurance issued in this State, these terms shall include within their meaning those persons licensed under and in accordance with the laws relating to the practice of chiropractic, Title 32, chapter 9, in respect to any care, services, procedures or benefits covered by that policy of insurance which those persons are licensed to perform.

Every health, casualty or accident insurance policy subject to this chapter which provides for payment or reimbursement for the health services of a "physician," "doctor" or any like terms shall also expressly provide that any persons covered by the health, casualty or accident insurance policy shall be entitled to payment or reimbursement for the comparable services of a chiropractor to the extent these services are within the lawful scope of practice of a chiropractor licensed to practice in this State. Every health, casualty or accident insurance policy subject to this chapter which provides for payment or reimbursement for services which, in fact, are within the lawful scope of practice of a chiropractor licensed to practice in this State shall expressly provide that any person covered by the policy shall be entitled to payment or reimbursement for these services if the services are performed by a chiropractor licensed to practice in this State. This section shall apply to health, casualty or accident policies, contracts or certificates issued, renewed, modified, altered, amended or reissued on or after the effective date of this section.

STATEMENT OF FACT

The purpose of this bill is to assure the people of the State of Maine a free choice in regard to health care covered by insurance by providing that chiropractic shall be included in all insurance policies.