

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 583

S.P. 216

In Senate, March 3, 1987

Reference to the Committee on Human Resources suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator BUSTIN of Kennebec.

Cosponsored by Senator GILL of Cumberland, Representative RYDELL of Brunswick, Representative ROLDE of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Ensure Access to the Mental Health
2 and Substance Abuse Treatment Systems
3 Through Health Maintenance
4 Organizations.
5

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

8 24-A MRSA §4207-A is enacted to read:

9 §4207-A. Mental Health and Substance Abuse Treatment
10 Services

11 1. Mental health and substance abuse treatment
12 services. "Mental health and substance abuse treat-
13 ment services" means all such services provided by
14 individuals, agencies and others licensed or certi-
15 fied to provide those services in accordance with

1 state law, including licensed psychologists, social
2 workers, substance abuse counselors, mental health
3 centers and substance abuse treatment agencies and
4 facilities.

5 2. Direct access and reimbursement. Every
6 health maintenance organization licensed under this
7 chapter shall allow direct access to and reimburse-
8 ment for mental health and substance abuse treatment
9 services. Direct access means the ability and oppor-
10 tunity for self-referral to these services by health
11 maintenance organization enrollees, if referral is
12 not made by the health maintenance organization or
13 its participating physicians. Every enrollee shall
14 be notified of this opportunity and shall notify the
15 health maintenance organization upon self-referral.

16 3. Benefits available. Every health maintenance
17 organization shall make available to its subscribers
18 equitable mental health and substance abuse services
19 and benefits as established in this Title.

20 STATEMENT OF FACT

21 Health maintenance organizations are being estab-
22 lished in Maine using the "Physician Gatekeeper Mod-
23 el." This model requires medical doctor, usually a
24 family practice doctor or internist, to make all de-
25 cisions about referring a patient to various health
26 specialists.

27 The mental health and substance abuse treatment
28 communities are concerned that this requirement will
29 prevent patients from being referred to appropriate
30 mental health or substance abuse services because
31 these "gatekeepers" may not be trained or qualified
32 to diagnose mental illnesses or substance abuse or be
33 willing to refer patients to these specialists, espe-
34 cially if the participating "gatekeeper" is in a fee
35 incentive system which is aimed at keeping costs down
36 by fewer referrals.

37 This bill requires health maintenance organiza-
38 tions to make such referrals if requested and to al-
39 low self-referral to these services, with notifica-

1 tion to the health maintenance organization. In ad-
2 dition, the bill ensures that health maintenance or-
3 ganizations will offer mental health and substance
4 abuse services in accordance with the State's equita-
5 ble health insurance laws.

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