

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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Legislative Document

No. 44

H.P. 36

House of Representatives, January 14, 1993

Reference to the Committee on Banking and Insurance suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative MORRISON of Bangor.

Cosponsored by Speaker MARTIN of Eagle Lake, Senator CONLEY of Cumberland and Representative GEAN of Alfred.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-THREE

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**An Act to Allow 3rd-party Reimbursement for Counseling Professionals.**

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

4 Sec. 1. 24 MRSA §2317, sub-§3-A is enacted to read:

6 3-A. Chapter 33, section 2744-A.

8 Sec. 2. 24-A §2744-A is enacted to read:

10 §2744-A. Counseling professional services

12 1. Entitlement. Notwithstanding any provision of a health  
14 insurance policy or contract subject to this chapter, whenever  
16 the policy or contract provides for payment or reimbursement for  
18 services that are within the lawful scope of practice of a  
20 counselor licensed to practice in this State, any person covered  
22 by the policy or contract is entitled to reimbursement for these  
services if the services are performed by a counselor licensed to  
practice in this State. The payment or reimbursement may not be  
conditioned upon prior diagnosis or referral by a physician or  
other health care professional, except in cases where diagnosis  
of the condition for which the services are rendered is beyond  
the scope of licensure of the counselor.

24 2. Coverage not required. Nothing in subsection 1 may be  
26 construed to require a health insurance policy or contract  
28 subject to this chapter to provide for reimbursement of services  
by a counselor licensed to practice in this State.

30 **Sec. 3. Application.** The provisions of this Act apply to all  
32 health insurance policies or contracts delivered or issued for  
34 delivery in this State on or after January 1, 1994.

36 **STATEMENT OF FACT**

38 This bill provides for insurance reimbursement of licensed  
40 counselors without a requirement of referral by a physician or  
other health professional. The provisions apply to all policies  
and contracts under the Maine Revised Statutes, Title 24 and  
Title 24-A delivered or issued for delivery on or after January  
1, 1994.