

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 168

S.P. 80

In Senate, January 20, 1995

**An Act to Clarify Insurance Coverage Regarding Breast Reconstruction
after Mastectomy Surgery.**

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

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator RAND of Cumberland.
Cosponsored by Senators: CLEVELAND of Androscoggin, FAIRCLOTH of Penobscot,
GOLDTHWAIT of Hancock, McCORMICK of Kennebec, RUHLIN of Penobscot,
Representatives: ADAMS of Portland, GOULD of Greenville, JOSEPH of Waterville,
KILKELLY of Wiscasset, LEMKE of Westbrook, MARTIN of Eagle Lake, MITCHELL of
Portland, NADEAU of Saco, SAXL of Bangor, TOWNSEND of Portland, TREAT of
Gardiner, VOLENIK of Sedgwick, WINN of Glenburn.

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48
50

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

Sec. 1. 24 MRSA §2320-C is enacted to read:

§2320-C. Coverage for mastectomy surgery

All individual and group nonprofit and medical services plan contracts and all nonprofit health care plan contracts providing coverage for mastectomy surgery must provide coverage for reconstruction of the breast on which surgery has been performed and surgery and reconstruction of the other breast to produce a symmetrical appearance if the patient elects reconstruction and in the manner chosen by the patient and the physician.

Sec. 2. 24-A MRSA §2731-A, as enacted by PL 1991, c. 333, §1, is repealed.

Sec. 3. 24-A MRSA §2745-C is enacted to read:

§2745-C. Coverage for mastectomy surgery

All individual health policies providing coverage for mastectomy surgery must provide coverage for reconstruction of the breast on which surgery has been performed and surgery and reconstruction of the other breast to produce a symmetrical appearance if the patient elects reconstruction and in the manner chosen by the patient and the physician.

Sec. 4. 24-A MRSA §2837-C is enacted to read:

§2837-C. Coverage for mastectomy surgery

All group health policies providing coverage for mastectomy surgery must provide coverage for reconstruction of the breast on which surgery has been performed and surgery and reconstruction of the other breast to produce a symmetrical appearance if the patient elects reconstruction and in the manner chosen by the patient and the physician.

Sec. 5. 24-A MRSA §4237 is enacted to read:

§4237. Coverage for mastectomy surgery

All individual or group coverage subject to this chapter that provides for mastectomy surgery must provide coverage for reconstruction of the breast on which surgery has been performed and surgery and reconstruction of the other breast to produce a symmetrical appearance if the patient elects reconstruction and in the manner chosen by the patient and the physician.

2

STATEMENT OF FACT

4 This bill requires health care insurance and contracts
6 providing coverage for mastectomy surgery to provide
8 reconstructive surgery for both the breast on which surgery was
10 performed and the other breast to produce a symmetrical
12 appearance if the patient elects reconstruction and in the manner
 chosen by the patient and the physician. It applies to health
 maintenance organizations and nonprofit hospital and medical
 service corporations. It repeals a statutory section that
 defines medically necessary mastectomy surgery.