

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 752

S.P. 280

In Senate, March 7, 1995

**An Act to Include Obstetricians and Gynecologists as Primary Care Providers.**

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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 MILLS of Somerset.

Cosponsored by Senator: RAND of Cumberland, Representative: MERES of Norridgewock.

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

4 **Sec. 1. 24 MRSA §2332-F** is enacted to read:

6 **§2332-F. Gynecological and obstetrical services**

8 **1. Required designation.** An individual or group nonprofit  
10 medical services plan contract or a nonprofit health care plan  
12 contract that designates certain physicians as primary care  
14 physicians must include physicians providing gynecological and  
16 obstetrical services as primary care physicians.

18 **2. Required coverage.** An individual or group nonprofit  
20 medical services plan contract or a nonprofit health care plan  
22 contract must provide the following gynecological and obstetrical  
24 services when provided by a physician:

26 **A.** Semiannual gynecological examinations, including routine  
28 pelvic and clinical breast examinations and Pap smears;

30 **B.** Gynecological and obstetrical services required as a  
32 result of services pursuant to paragraph A; and

34 **C.** Gynecological and obstetrical services required as a  
36 result of an acute health care condition or pregnancy.

38 **3. Written notice.** An individual or group nonprofit  
40 medical services plan contract or a nonprofit health care plan  
42 contract must provide within the contract written notice of the  
44 availability of services provided pursuant to this section.

46 **4. Application.** This section applies to any contract  
48 executed, delivered, issued for delivery, continued or renewed in  
50 this State on or after January 1, 1996. For purposes of this  
section, a contract is deemed to be renewed no later than the  
next anniversary of the contract date.

**Sec. 2. 24-A MRSA §2745-C** is enacted to read:

**§2745-C. Gynecological and obstetrical services**

**1. Required designation.** Individual insurance policies,  
except those designed to cover only specific diseases, accidental  
injury or dental procedures, that designate certain physicians as  
primary care physicians must include physicians providing  
gynecological and obstetrical services as primary care physicians.

**2. Required coverage.** An individual health insurance  
policy must provide the following gynecological and obstetrical  
services when provided by a physician:

2           A. Semiannual gynecological examinations, including routine  
3           pelvic and clinical breast examinations and Pap smears;

4           B. Gynecological and obstetrical services required as a  
5           result of services pursuant to paragraph A; and

6           C. Gynecological and obstetrical services required as a  
7           result of an acute health care condition or pregnancy.

8           3. Written notice. An individual health insurance policy  
9           must provide within the policy written notice of the availability  
10           of services provided pursuant to this section.

11           4. Application. This section applies to any policy  
12           executed, delivered, issued for delivery, continued or renewed in  
13           this State on or after January 1, 1996. For purposes of this  
14           section, a policy is deemed to be renewed no later than the next  
15           anniversary of the policy date.

16           Sec. 3. 24-A MRSA §2850-A is enacted to read:

17           §2850-A. Gynecological and obstetrical services

18           1. Primary care. An insurance policy or contract, except a  
19           policy or contract that covers only dental procedures, accidental  
20           injury or specific diseases, that designates certain physicians  
21           as primary care physicians must include physicians providing  
22           gynecological and obstetrical services as primary care physicians.

23           2. Required designation. An insurance policy or contract  
24           must provide the following gynecological and obstetrical services  
25           when provided by a physician:

26           A. Semiannual gynecological examinations, including routine  
27           pelvic and clinical breast examinations and Pap smears;

28           B. Gynecological and obstetrical services required as a  
29           result of services pursuant to paragraph A; and

30           C. Gynecological and obstetrical services required as a  
31           result of an acute health care condition or pregnancy.

32           3. Written notice. An insurance policy or contract must  
33           provide within the policy or contract written notice of the  
34           availability of services provided pursuant to this section.

35           4. Application. This section applies to a policy or  
36           contract executed, delivered, issued for delivery, continued or  
37           renewed in this State on or after January 1, 1996. For purposes

of this subsection, a policy or contract is deemed to be renewed no later than the next anniversary of the policy or contract date.

Sec. 4. 24-A MRSA §4237 is enacted to read:

**§4237. Gynecological and obstetrical services**

**1. Required designation.** An individual or group contract subject to this chapter that designates certain physicians as primary care physicians must include physicians providing gynecological and obstetrical services as primary care physicians.

**2. Required coverage.** An individual or group contract subject to this chapter must provide the following gynecological and obstetrical services when provided by a physician:

A. Semiannual gynecological examinations, including routine pelvic and clinical breast examinations and Pap smears;

B. Gynecological and obstetrical services required as a result of services pursuant to paragraph A; and

C. Gynecological and obstetrical services required as a result of an acute health care condition or pregnancy.

**3. Written notice.** An individual or group contract must provide within the contract written notice of the availability of services provided pursuant to this section.

**4. Application.** This section applies to any individual or group contract executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 1996. For purposes of this subsection, a contract is deemed to be renewed no later than the next anniversary of the contract date.

**Sec. 5. Effective date.** This Act takes effect January 1, 1996.

**STATEMENT OF FACT**

This bill makes identical changes in the requirements for individual health insurance, group health insurance and health care coverage provided by nonprofit hospital and medical service organizations and health maintenance organizations. All requirements take effect on January 1, 1996. The requirements include the following.

2           1. Plans that designate physicians as primary care  
3 providers must designate physicians providing gynecological and  
4 obstetrical services as primary care providers.

6           2. Coverage must be provided for semiannual gynecological  
7 examinations and gynecological and obstetrical services required  
8 as a result of those exams or as a result of an acute health care  
9 condition and pregnancy.

10          3. Written notice of gynecological and obstetrical service  
11 coverage must be provided.