

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1998

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Legislative Document

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H.P. 24

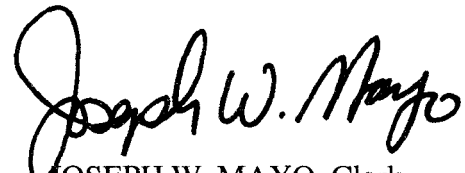
House of Representatives, December 23, 1998

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**An Act to Protect the Choice of Hospital Care for HMO Enrollees.**

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Received by the Clerk of the House on December 21, 1998. Referred to the Committee on Banking and Insurance pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

  
JOSEPH W. MAYO, Clerk

Presented by Representative MAYO of Bath.  
Cosponsored by Representative McALEVEY of Waterboro.

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

2  
3       **Sec. 1. 24-A MRSA §4301, sub-§5**, as enacted by PL 1995, c.  
4 673, Pt. C, §1 and affected by §2, is amended to read:

5       **5. Participating provider.** "Participating provider" means  
6 a ~~licensed--or--certified~~ provider ~~of--health--care--services,~~  
7 ~~including-mental-health-services--or-health-care-supplies~~ that  
8 has entered into an agreement with a carrier to provide ~~these~~  
9 health care services or supplies to an individual enrolled in a  
10 managed care plan.

11  
12       **Sec. 2. 24-A MRSA §4301, sub-§7** is enacted to read:

13  
14       **7. Provider.** "Provider" means an individual or entity  
15 licensed or certified to provide health care services, including  
16 hospital and mental health services or health care supplies.

17  
18       **Sec. 3. 24-A MRSA §4307**, as enacted by PL 1995, c. 673, Pt.  
19 C, §1 and affected by §2, is amended to read:

20  
21       **§4307. Construction**

22  
23       Nothing in this chapter may be construed to:

24  
25       **1. Purchase services with own funds.** Prohibit an  
26 individual from purchasing any health care services with that  
27 individual's own funds, whether these services are covered within  
28 the individual's benefit package or from another health care  
29 provider or plan, except as otherwise provided by federal or  
30 state law; or

31  
32       **2. Additional benefits.** Prohibit any plan sponsor from  
33 providing additional coverage for benefits, rights or protections  
34 not set out in this chapter; ~~or~~ .

35  
36       ~~**3. Provider participation.** Require a carrier to admit to a~~  
37 ~~managed-care-plan-a-provider-willing-to-abide-by-the-terms-and~~  
38 ~~conditions-of-the-managed-care-plan.~~

39  
40       **Sec. 4. 24-A MRSA §4310** is enacted to read:

41  
42       **§4310. Agreements with providers**

43  
44       **1. Reimbursement agreements.** A carrier may enter into  
45 agreements with providers relating to the terms and conditions of  
46 reimbursement for health care services that may be rendered to  
47 enrollees in managed care plans, including agreements relating to  
48 the amounts to be charged the enrollee for services rendered.

