

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 989

S.P. 335

In Senate, February 4, 1999

An Act to Ensure Access to Cardiac and Pulmonary Rehabilitation.

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

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BERUBE of Androscoggin.
Cosponsored by Representative CHIZMAR of Lisbon and
Senator NUTTING of Androscoggin, Representatives: BOLDUC of Auburn, GAGNE of
Buckfield, TRUE of Fryeburg, TUTTLE of Sanford.

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

2 Sec. 1. 24 MRSA §2333-A, as enacted by PL 1987, c. 293, §1,
4 is amended to read:

6 **§2333-A. Cardiac and pulmonary rehabilitation coverage**

8 1. **Requirement.** Every A nonprofit hospital or medical
10 service corporation which that issues individual and group health
12 care contracts ~~providing coverage for hospital or medical care to~~
14 ~~residents of this State~~ shall make available to groups of 20 or
16 ~~more persons, at the option of the contract holder,~~ provide
benefits as required by this section to any subscriber or other
person covered under those contracts for the expense of cardiac
and pulmonary rehabilitation.

18 2. **Cardiac and pulmonary rehabilitation.** "Cardiac and
20 pulmonary rehabilitation" means multidisciplinary, medically
22 necessary treatment of persons with documented cardiovascular or
24 pulmonary disease, ~~which shall be provided in either a hospital~~
~~or other setting.~~ Such treatment shall must include outpatient
treatment ~~which is initiated within 26 weeks after the diagnosis~~
~~of that disease and physician recommended continuance of Phase II~~
~~and Phase III~~ rehabilitation services ~~for up to 36 outpatient~~
~~sessions in a hospital.~~

26 3. **Limitations.** Benefits required to be made available by
28 this section may be made subject to any reasonable limitation,
30 maximum benefit, coinsurance, deductible or exclusion provisions
applicable to overall benefits under the contract.

32 4. **Application.** The requirements of this section shall
34 apply to all contracts and certificates executed, delivered,
36 issued for delivery, continued or renewed in this State on or
after January 1, 1988 2000. For purposes of this section only,
all ~~contracts shall be~~ a contract is deemed to be renewed no
later than the next yearly anniversary of the contract date.

38 Sec. 2. 24-A MRSA §2745-H is enacted to read:

40 **§2745-H. Cardiac and pulmonary rehabilitation coverage**

42 1. **Requirement.** An insurer that issues individual health
44 care contracts shall provide benefits as required by this section
46 to any policy holder or other person covered under those
contracts for the expense of cardiac and pulmonary rehabilitation.

48 2. **Cardiac and pulmonary rehabilitation.** "Cardiac and
50 pulmonary rehabilitation" means multidisciplinary, medically
necessary treatment of persons with documented cardiovascular or

2 pulmonary disease. That treatment must include
3 physician-recommended Phase II and Phase III rehabilitation
4 services.

6 3. Limitations. Benefits required to be made available
7 pursuant to this section may be made subject to any reasonable
8 limitation, maximum benefit, coinsurance, deductible or exclusion
9 provisions applicable to overall benefits under the policy or
10 certificate.

12 4. Application. The requirements of this section apply to
13 all policies and certificates executed, delivered, issued for
14 delivery, continued or renewed in this State on or after January
15 1, 2000. For purposes of this section, an individual policy is
16 deemed to be renewed no later than the next yearly anniversary of
17 the contract date.

18 Sec. 3. 24-A MRSA §2845, as enacted by PL 1987, c. 293, §2,
19 is amended to read:

20 **§2845. Cardiac and pulmonary rehabilitation coverage**

22
23 1. Requirement. Every An insurer which that issues group
24 health care contracts providing--coverage-fer-hospital-care-to
25 residents-of-this-State-shall-make-available-to-groups-of-20-or
26 more-persons,-at-the-option-of-the-policyholder, benefits as
27 required by this section to any certificate holder or other
28 person covered under those contracts for the expense of cardiac
29 and pulmonary rehabilitation.

30
31 2. Cardiac and pulmonary rehabilitation. "Cardiac and
32 pulmonary rehabilitation" means multidisciplinary, medically
33 necessary treatment of persons with documented cardiovascular or
34 pulmonary disease,-which-shall-be-provided-in-either-a-hospital
35 or-other-setting. That treatment shall must include outpatient
36 treatment-which-is-initiated-within-26-weeks-after-the-diagnosis
37 of-that-disease-and physician-recommended continuance-of Phase II
38 and Phase III rehabilitation services fer-up-to-36-sessions-in-a
39 hospital--or--community-based--setting--and--up--to--36--Phase--III
40 sessiens-in-a-community-based-setting.

41
42 3. Limitations. Benefits required to be made available
43 pursuant to this section may be made subject to any reasonable
44 limitation, maximum benefit, coinsurance, deductible or exclusion
45 provisions applicable to overall benefits under the policy or
46 certificate.

47
48 4. Application. The requirements of this section shall
49 apply to all policies and certificates executed, delivered,
50 issued for delivery, continued or renewed in this State on or

2 after January 1, 1988 2000. For purposes of this section only,
all a group policies shall be policy is deemed to be renewed no
4 later than the next yearly anniversary of the contract date.

6 Sec. 4. 24-A MRSA §4245 is enacted to read:

8 **§4245. Cardiac and pulmonary rehabilitation coverage**

10 **1. Requirement.** A health maintenance organization that
issues individual and group health care contracts shall provide
12 benefits as required by this section to any policy or certificate
holder or other person covered under those contracts for the
14 expense of cardiac and pulmonary rehabilitation.

16 **2. Cardiac and pulmonary rehabilitation.** "Cardiac and
pulmonary rehabilitation" means multidisciplinary, medically
18 necessary treatment of persons with documented cardiovascular or
pulmonary disease. That treatment must include
20 physician-recommended Phase II and Phase III rehabilitation
services.

22 **3. Limitations.** Benefits required to be made available
pursuant to this section may be made subject to any reasonable
24 limitation, maximum benefit, coinsurance, deductible or exclusion
provisions applicable to overall benefits under the policy or
26 certificate.

28 **4. Application.** The requirements of this section apply to
all policies and certificates executed, delivered, issued for
30 delivery, continued or renewed in this State on or after January
1, 2000. For purposes of this section, a policy is deemed to be
32 renewed no later than the next yearly anniversary of the contract
date.

34
36 **SUMMARY**

38 This bill requires nonprofit hospital and medical service
organizations, insurers and health maintenance organizations to
40 provide coverage for cardiac and pulmonary rehabilitation
services. The bill applies to all individual and group policies
42 issued or renewed on or after January 1, 2000.