

# MAINE STATE LEGISLATURE

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R.O.S.

L.D. 1664

DATE: April 20, 1999

(Filing No. S- 112 )

**BANKING AND INSURANCE**

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**STATE OF MAINE  
SENATE  
119TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT " A " to S.P. 584, L.D. 1664, Bill, "An Act to Clarify Basic Health Care Services to be Offered by Maine Health Maintenance Organizations"

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

**Sec. 1. 24-A MRSA §4204-A, sub-§1**, as enacted by PL 1991, c. 709, §2, is amended to read:

**1. Basic health care services.** "Basic health care services" means health care services that an enrolled population might reasonably require in order to be maintained in good health, ~~including and includes~~, at a minimum, emergency care, inpatient hospital care, ~~inpatient-outpatient~~ inpatient physician services, outpatient physician services, ancillary services such as x-ray services and laboratory services and all benefits mandated by statute and mandated by rule applicable to health maintenance organizations. The superintendent may adopt rules defining "basic health care services" to be provided by health maintenance organizations. In adopting such rules, the superintendent shall consider the coverages that have traditionally been provided by health maintenance organizations; the need for flexibility in the marketplace; and the importance of providing multiple options to employers and consumers. The superintendent may not require that all health benefit plans offered by health maintenance organizations meet or exceed each of the particular requirements of standard or basic health plans specified in Bureau of Insurance Rule, Chapter 750. The

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2 superintendent may select required services from among those set  
3 forth in Bureau of Insurance Rule, Chapter 750 and shall permit  
4 reasonable, but not excessive or unfairly discriminatory,  
5 variations in the copayment, coinsurance, deductible and other  
6 features of such coverage, except that these features must meet  
7 or exceed those required in benefits mandated by statute. Rules  
8 adopted pursuant to this subsection are routine technical rules  
9 as defined in Title 5, chapter 375, subchapter II-A.

10 **Sec. 2. 24-A MRSA §4204, sub-§2-A, ¶O** is enacted to read:

12 O. Each health maintenance organization shall provide basic  
13 health care services.'

14  
15 Further amend the bill by inserting at the end before the  
16 summary the following:

18

**'FISCAL NOTE**

20

21 The Bureau of Insurance within the Department of  
22 Professional and Financial Regulation will incur some minor  
23 additional costs to adopt rules. These costs can be absorbed  
24 within the bureau's existing budgeted resources.'

26

**SUMMARY**

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29 This amendment replaces the bill. It clarifies the basic  
30 health care services that must be provided in all health  
31 maintenance organization plans. The bill allows the  
32 Superintendent of Insurance to define "basic health care  
33 services" by rule, but prohibits the superintendent from  
34 requiring that health maintenance organization plans meet or  
35 exceed the requirements of the standard and basic plan specified  
36 in Bureau of Insurance Rule, Chapter 750. In adopting rules to  
37 define "basic health care services," the superintendent shall  
38 permit reasonable, but not excessive or unfairly discriminatory,  
39 variations in the copayment, coinsurance, deductible and other  
40 features offered in health maintenance organization plans.

41  
42 The amendment also adds a fiscal note to the bill.