

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1664

S.P. 584

In Senate, March 4, 1999

**An Act to Clarify Basic Health Care Services to be Offered by Maine
Health Maintenance Organizations.**

(EMERGENCY)

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator LaFOUNTAIN of York.
Cosponsored by Senators: ABROMSON of Cumberland, MURRAY of Penobscot,
PENDLETON of Cumberland, Representatives: PERRY of Bangor, SULLIVAN of Biddeford.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 **Whereas,** this legislation is immediately necessary to ensure
that health maintenance organizations and employers are able to
vary particular coverages and copayment requirements to respond
8 to particular needs and market factors; and

10 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
12 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
14 safety; now, therefore,

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

18 **Sec. 1. 24-A MRSA §4202-A, sub-§1,** as enacted by PL 1991, c.
709, §2, is amended to read:

20 **1. Basic health care services.** "Basic health care
22 services" ~~means health care services that an enrolled population~~
~~might reasonably require in order to be maintained in good~~
24 ~~health, including~~ includes, at a minimum, emergency care,
inpatient hospital care, ~~inpatient-outpatient~~ inpatient physician
26 services, outpatient physician services, x-ray services and,
laboratory services and all statutorily mandated benefits and
28 benefits mandated by rule applicable to health maintenance
organizations. The Bureau of Insurance may adopt rules defining
30 "basic health care services" to be provided by health maintenance
organizations. In adopting any such rules, the Bureau of
32 Insurance shall consider the coverages that have traditionally
been provided by health maintenance organizations, the need for
34 flexibility in the marketplace and the importance of providing
multiple options to employers and consumers. Rules adopted under
36 this subsection are routine technical rules pursuant to Title 5,
chapter 375, subchapter II-A.

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

40 O. Each health maintenance organization shall provide basic
42 health care services. The Bureau of Insurance may not
require that all health benefit plans offered by health
44 maintenance organizations meet or exceed the requirements of
standard or basic health plans specified in the Bureau of
46 Insurance Rule, Chapter 750. Health maintenance
organizations may vary the coverages set forth in particular
48 health benefit plans and the copayments and related
limitations governing number of visits and dollar
50 copayments, so long as each such health benefit plan

