

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 126

S.P. 26

In Senate, January 11, 2001

**An Act to Clarify Certain Provisions of the Laws Governing Health  
Maintenance Organizations and Health Plans.**

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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 Representative O'NEIL of Saco and  
Senator ABROMSON of Cumberland, Representatives: MAYO of Bath, SULLIVAN of  
Biddeford.

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

2

**Sec. 1. 24-A MRSA §4203, sub-§3, ¶S,** as amended by PL 1997, c.  
4 370, Pt. F, §1, is further amended to read:

6

S. A list of the names and addresses of all physicians and  
facilities with which the health maintenance organization  
8 has or will have agreements. If products are offered that  
pay full benefits only when providers within a subset of the  
10 contracted physicians or facilities are utilized, a list of  
the providers in that limited network must be included, as  
12 well as a list of the geographic areas where the products  
are offered. Nothing in this paragraph may be construed to  
14 prohibit a health maintenance organization from offering  
products that provide financial incentives to its members to  
16 utilize designated providers in a network, as long as the  
entire network meets access standards.

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**Sec. 2. 24-A MRSA §4303, sub-§1,** as amended by PL 1999, c.  
20 742, §6, is further amended to read:

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**1. Demonstration of adequate access to providers.** A  
carrier offering a managed care plan shall provide to its members  
24 reasonable access to health care services in accordance with  
standards developed by rule by the superintendent. These  
26 standards must consider the geographical and transportational  
problems in rural areas. All managed care plans covering  
28 residents of this State must provide reasonable access to  
providers consistent with the access-to-services requirements of  
30 any applicable bureau rule. Nothing in this subsection may be  
construed to prohibit a managed care plan from offering products  
32 that provide financial incentives to its members to utilize  
designated providers in a network, as long as the entire network  
34 meets access standards.

36

**SUMMARY**

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This bill clarifies that the access standards requirements  
40 under the laws governing health maintenance organizations and  
health plans do not prohibit insurance products that give  
42 financial incentives to members who elect to use certain  
designated providers in a network.