

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 251

H.P. 216

House of Representatives, January 23, 2001

An Act to Clarify the Application of the Definitions of "Medical Necessity" and "Medically Appropriate Health Care."

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative RICHARDSON of Brunswick.
Cosponsored by Senator ABROMSON of Cumberland and
Representatives: COTE of Lewiston, DUDLEY of Portland, GERZOFISKY of Brunswick,
MAILHOT of Lewiston, MAYO of Bath, O'NEIL of Saco, SULLIVAN of Biddeford,
Senator: LaFOUNTAIN of York.

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

4 **Sec. 1. 24-A MRSA §4304, sub-§1,** as enacted by PL 1995, c.
673, Pt. C, §1 and affected by §2, is amended to read:

6 **1. Requirements for medical review or utilization review**
7 **practices.** A carrier must appoint a medical director who is
8 responsible for reviewing and approving the carrier's policies
9 governing the clinical aspects of coverage determinations by any
10 health plan that it offers. A carrier's medical review or
11 utilization review practices must be governed by the standards of
12 medical necessity and medically appropriate health care as
13 defined in this chapter.

14
16 **SUMMARY**

18 This bill clarifies the application of the definitions of
19 "medical necessity" and "medically appropriate health care" to
20 the medical review or utilization review practices of managed
health care plans in the State.