MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 484

H.P. 382

House of Representatives, February 1, 2001

Millient M. Mac Failand

An Act to Mandate Smoking Cessation Services for Health Insurance.

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

MILLICENT M. MacFARLAND, Clerk

Presented by Representative O'NEIL of Saco.

Cosponsored by Representatives: DUNLAP of Old Town, KANE of Saco, MAYO of Bath,

Senator: DOUĞLASS of Androscoggin.

В	e it enacted by the People of the State of Maine as follows:
	Sec. 1. 24 MRSA §2317-B, sub-§12-A is enacted to read:
sn	12-A. Title 24-A, sections 2759 and 2847-J. Coverage for oking cessation services, Title 24-A, sections 2759 and 2847-J.
	Sec. 2. 24-A MRSA §2759 is enacted to read:
§ 2	759. Coverage for smoking cessation services
	1. Definition. As used in this section, "quit attempt"
<u>e</u>	ans smoking cessation services consisting of:
	A. Two office visits with the insured's treating physician
	or other appropriate health care practitioner;
	B. One follow-up telephone call from the insured's treating
	physician or other appropriate health care practitioner; and
	C) 2 month cumply of proggnintion drugg approved for
	C. A 2-month supply of prescription drugs approved for smoking cessation purposes by the federal Food and Drug
	Administration that are prescribed by the insured's treating
	physician or other appropriate health care practitioner.
	2. Coverage for smoking cessation services. An insurer
	at issues individual contracts shall provide coverage under
	ose contracts for smoking cessation services. Coverage must be ovided for no more than 3 quit attempts for each insured. This
	bsection does not require an insurer to provide coverage for
	er-the-counter smoking cessation products sold without a
or	escription.
	3. Limits; coinsurance; deductibles. Any contract that
	ovides coverage for the services required under this section
	y contain provisions for maximum benefits and coinsurance and asonable limitations, deductibles and exclusions to the extent
	at those provisions are not inconsistent with the requirements
f	this section.
	Sec. 3. 24-A MRSA §2847-J is enacted to read:
	bee. b. will hamble grown y 15 chacted to lead.
§ 2	847-J. Coverage for smoking cessation services
	1. Definition. As used in this section, "quit attempt"
me	eans smoking cessation services consisting of:
	A. Two office visits with the insured's treating physician
	or other appropriate health care practitioner;

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B. One follow-up telephone call from the insured's treating 2 physician or other appropriate health care practitioner; and 4 C. A 2-month supply of prescription drugs approved for smoking cessation purposes by the federal Food and Drug б Administration that are prescribed by the insured's treating physician or other appropriate health care practitioner. 8 2. Coverage for smoking cessation services. An insurer 10 that issues group contracts shall provide coverage under those contracts for smoking cessation services. Coverage must be 12 provided for no more than 3 quit attempts for each insured. This subsection does not require an insurer to provide coverage for 14 over-the-counter smoking cessation products sold without a prescription. 16 3. Limits; coinsurance; deductibles. Any contract that 18 provides coverage for the services required under this section may contain provisions for maximum benefits and coinsurance and reasonable limitations, deductibles and exclusions to the extent 20 that those provisions are not inconsistent with the requirements 22 of this section. Sec. 4. 24-A MRSA §4249 is enacted to read: 24 26 §4249. Coverage for smoking cessation services 28 1. Definition. As used in this section, "quit attempt" means smoking cessation services consisting of: 30 A. Two office visits with the enrollee's treating physician 32 or other appropriate health care practitioner; 34 B. One follow-up telephone call from the enrollee's treating physician or other appropriate health care practitioner; and 36 C. A 2-month supply of prescription drugs approved for smoking cessation purposes by the federal Food and Drug 38 Administration that are prescribed by the enrollee's 40 treating physician or other appropriate health care practitioner. 42 2. Coverage for smoking cessation services. A health maintenance organization that issues individual and group 44 contracts shall provide coverage under those contracts for 46 smoking cessation services. Coverage must be provided for no more than 3 quit attempts for each enrollee. This subsection 48 does not require a health maintenance organization to provide coverage for over-the-counter smoking cessation products sold 50 without a prescription.

3. Limits; coinsurance; deductibles. Any contract that provides coverage for the services required under this section may contain provisions for maximum benefits and coinsurance and reasonable limitations, deductibles and exclusions to the extent that those provisions are not inconsistent with the requirements of this section.

Sec. 5. Application. The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2002. For purposes of this Act, all contracts, policies and certificates are deemed to be renewed no later than the next yearly anniversary of the contract, policy or certificate date.

SUMMARY

This bill requires health insurers, health maintenance organizations and nonprofit hospital and medical service organizations to provide coverage for smoking cessation services in their individual and group policies for up to 3 "quit attempts" per enrollee. The bill does not require coverage for over-the-counter smoking cessation products. The bill applies to all policies and contracts issued or renewed on or after January 1, 2002.