

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 65

H.P. 73

House of Representatives, January 16, 2003

**An Act Regarding the Billing for Medical Supplies by a Health Care
Provider**

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SNOWE-MELLO of Poland. (BY REQUEST)

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

4 **Sec. 1. 22 MRSA §1718** is enacted to read:

6 **§1718. Billing prohibited**

8 Billing for certain health care services and supplies is prohibited by health care practitioners and health care facilities according to this section.

10 1. Definitions. As used in this section, unless the context indicates otherwise, the following terms have the following meanings.

12 A. "Carrier" means a carrier licensed under Title 24 or 24-A to provide health coverage.

14 B. "Health care" has the same meaning as in section 1711-C, subsection 1, paragraph C.

16 C. "Health care facility" has the same meaning as in section 1711-C, subsection 1, paragraph D.

18 D. "Health care practitioner" has the same meaning as in section 1711-C, subsection 1, paragraph F.

20 2. Prohibition. A health care facility or health care practitioner may not seek reimbursement from a patient or representative of the patient for services or supplies in the following circumstances:

22 A. The carrier providing coverage for the patient has determined that the services or supplies were not medically necessary; or

24 B. The services or supplies were not actually provided to or used in the delivery of health care for the patient.

26 3. Application. This section applies to reimbursement for health care services and supplies provided to or used in connection with patients, beginning on October 15, 2003.

28 **SUMMARY**

30 This bill prohibits health care practitioners and health care facilities from billing patients for services or

2 supplies when the health carrier has determined that the services
or supplies were not medically necessary or that the services or
4 supplies are not actually used for patient care. The prohibition
applies as of October 15, 2003.