

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 743

S.P. 241

In Senate, February 10, 2005

An Act To Streamline the Appeals Process for the Determination of Certain Health Insurance Benefits

Reference to the Committee on Insurance and Financial Services 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 MAYO of Sagadahoc.
Cosponsored by Representative PERRY of Calais and
Senators: MILLS of Somerset, SULLIVAN of York, Representative: MARRACHÉ of
Waterville.

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

4 **Sec. 1. 24 MRSA §2317-B, sub-§10**, as amended by PL 2001, c.
5 258, Pt. G, §1, is repealed.

6 **Sec. 2. 24-A MRSA §2747**, as amended by PL 2003, c. 428, Pt.
7 H, §4, is repealed.

8 **Sec. 3. 24-A MRSA §2816**, as amended by PL 1981, c. 698, §110,
9 is further amended to read:

10 **§2816. Requirements**

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12 No policy of group or blanket health insurance shall ~~may~~,
13 except as provided in section 2829, be delivered or issued for
14 delivery in this State, unless the policy contains in substance
15 each and all of the provisions set forth in sections 2817 to
16 2828, or provisions which ~~that~~ in the opinion of the
17 superintendent are more favorable to the holders of such
18 certificates or not less favorable to the holders of such
19 certificates and more favorable to policyholders. ~~Insurers~~
20 ~~offering policies under this chapter shall offer to certificate~~
21 ~~holders the right of review and arbitration set forth in section~~
22 ~~2747, subsection 1, with respect to denials of medical expense~~
23 ~~reimbursement benefits based upon the grounds set forth in~~
24 ~~section 2747, subsection 2, except that the requirement of~~
25 ~~section 2747, subsection 1 shall not apply to certificate holders~~
26 ~~in groups subject to the United States Employee Retirement Income~~
27 ~~Security Act of 1974, Public Law 93-406, as amended, or to any~~
28 ~~policy or certificate holder to whom the insurer voluntarily~~
29 ~~extends a review similar to that which it provides to persons~~
30 ~~insured under group policies subject to that Act.~~
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33 **SUMMARY**

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35 **36** This bill eliminates the requirement that health insurance
36 carriers offer members in the nongroup market nonbinding
37 arbitration for the determination of certain benefits.
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