

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 2157

S.P. 825

January 17, 2008

**An Act To Implement the Recommendations of the Joint Standing
Committee on Insurance and Financial Services Regarding
Reporting on Lyme Disease and Other Tick-borne Illnesses**

Reported by Senator SULLIVAN of York for the Joint Standing Committee on Insurance and Financial Services pursuant to Joint Order 2007, S.P. 813.

Reference to the Committee on Insurance and Financial Services suggested and ordered printed under Joint Rule 218.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

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

2 **Sec. 1. 22 MRSA c. 266-B** is enacted to read:

3 **CHAPTER 266-B**

4 **LYME DISEASE AND OTHER TICK-BORNE ILLNESSES**

5 **§1645. Lyme disease and other tick-borne illnesses; annual report**

6 **1. Report contents.** The Maine Center for Disease Control and Prevention shall, on
7 an ongoing basis, monitor, review and evaluate Lyme disease and other tick-borne
8 illnesses in this State and shall submit an annual report in accordance with this subsection
9 and subsection 2. The report must include at a minimum and to the extent information is
10 available:

11 A. The incidence of Lyme disease and other tick-borne illnesses in this State;

12 B. The treatment guidelines for Lyme disease recommended by the Maine Center for
13 Disease Control and Prevention and the federal Centers for Disease Control and
14 Prevention;

15 C. A scientific review of peer-reviewed medical literature and studies for the
16 treatment of Lyme disease and other tick-borne illnesses, including, but not limited
17 to, the recognition of chronic Lyme disease and the use of long-term antibiotic
18 treatment;

19 D. The education, training and guidance provided by the Maine Center for Disease
20 Control and Prevention to health care professionals on the current methods of
21 diagnosing and treating Lyme disease and other tick-borne illnesses;

22 E. The education and public awareness activities conducted by the Maine Center for
23 Disease Control and Prevention for the prevention of Lyme disease and other tick-
24 borne illnesses; and

25 F. The laws of other states related to the diagnosis, treatment and insurance coverage
26 for Lyme disease and other tick-borne illnesses.

27 **2. Annual report.** Beginning February 1, 2009 and annually by February 1st
28 thereafter, the Maine Center for Disease Control and Prevention shall submit a report to
29 the joint standing committee of the Legislature having jurisdiction over health and human
30 services matters and the joint standing committee of the Legislature having jurisdiction
31 over health insurance matters. In addition to the information required under subsection 1,
32 the report may include recommendations for legislation to address public health programs
33 for the prevention and treatment of Lyme disease and other tick-borne illnesses in this
34 State.

35 **Sec. 2. 24-A MRSA §4302, sub-§5** is enacted to read:

36 **5. Annual report; claims for treatment of Lyme disease and other tick-borne**
37 **illnesses.** By February 1st of each year, all carriers shall file with the superintendent for

1 the most recent calendar year for all covered individuals in the State the total claims made
2 for the treatment of Lyme disease and other tick-borne illnesses. The filing must include
3 information on the number of claims made for the treatment of Lyme disease and other
4 tick-borne illnesses, the total dollar amount of those claims, the number of claim denials
5 and the reasons for those denials, the number and outcome of internal appeals and the
6 number of external appeals related to the treatment of Lyme disease and other tick-borne
7 illnesses. The superintendent shall compile from all carriers this data in an annual report
8 and submit the report by March 15th of each year to the joint standing committee of the
9 Legislature having jurisdiction over health insurance matters.

10

SUMMARY

11 This bill is a recommendation of the majority of the Joint Standing Committee on
12 Insurance and Financial Services, and is the result of the committee's study and review of
13 issues regarding Lyme disease and other tick-borne illnesses, which took place between
14 the First Regular Session and Second Regular Session of the 123rd Legislature. The bill
15 requires the Department of Health and Human Services, Maine Center for Disease
16 Control and Prevention to report annually beginning February 1, 2009 to the Legislature
17 on the incidence of Lyme disease and other tick-borne illnesses in the State, the
18 recommended treatment guidelines for Lyme disease, medical studies on the treatment of
19 Lyme disease and other tick-borne illnesses and the activities of the Maine Center for
20 Disease Control and Prevention focused on education, prevention and treatment of Lyme
21 disease and other tick-borne illnesses. The bill also requires that health insurers and the
22 Superintendent of Insurance report annually on health insurance claims for the treatment
23 Lyme disease and other tick-borne illnesses, including information on the number of
24 approved claims, claim denials and the outcome of both internal and external appeals
25 processes.