

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1709

H.P. 1210

House of Representatives, January 6, 2010

An Act Concerning the Use of Long-term Antibiotics for the Treatment of Lyme Disease

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative LEGG of Kennebunk.
Cosponsored by Senator BOWMAN of York and
Representatives: BEAUDETTE of Biddeford, BERRY of Bowdoinham, BOLAND of Sanford,
CAMPBELL of Newfield, CONNOR of Kennebunk.

1 B. "Lyme disease" means the clinical diagnosis by a physician of the presence in a
2 patient of signs and symptoms compatible with acute infection with Borrelia
3 burgdorferi, or with late stage or chronic infection with Borrelia burgdorferi, or with
4 complications related to such an infection. "Lyme disease" includes infection that
5 meets the surveillance criteria set forth by the United States Centers for Disease
6 Control and Prevention but also includes other acute and chronic manifestations of
7 such an infection as determined by the physician.

8 2. Required coverage. All group health insurance policies and contracts must
9 provide coverage for diagnostic testing and long-term antibiotic therapy treatment of
10 Lyme disease when determined to be medically necessary and ordered by a physician
11 acting in accordance with Title 32, section 3300-B after making a thorough evaluation of
12 the patient's symptoms, diagnostic test results and response to treatment. Treatment
13 otherwise eligible for benefits pursuant to this section may not be denied solely because
14 such treatment might be characterized as unproven, experimental or investigational in
15 nature.

16 3. Application. The requirements of this section apply to all policies, contracts and
17 certificates executed, delivered, issued for delivery, continued or renewed in this State.
18 For purposes of this section, all contracts are deemed to be renewed no later than the next
19 yearly anniversary of the contract date.

20 Sec. A-4. 24-A MRSA §4244-A is enacted to read:

21 §4244-A. Coverage for certain Lyme disease treatments

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

24 A. "Long-term antibiotic therapy" means the use of oral, intramuscular or
25 intravenous antibiotics, singly or in combination, for periods of greater than 4 weeks.

26 B. "Lyme disease" means the clinical diagnosis by a physician of the presence in a
27 patient of signs and symptoms compatible with acute infection with Borrelia
28 burgdorferi, or with late stage or chronic infection with Borrelia burgdorferi, or with
29 complications related to such an infection. "Lyme disease" includes infection that
30 meets the surveillance criteria set forth by the United States Centers for Disease
31 Control and Prevention but also includes other acute and chronic manifestations of
32 such an infection as determined by the physician.

33 2. Required coverage. All health maintenance organization individual and group
34 contracts must provide coverage for diagnostic testing and long-term antibiotic therapy
35 treatment of Lyme disease when determined to be medically necessary and ordered by a
36 physician acting in accordance with Title 32, section 3300-B after making a thorough
37 evaluation of the patient's symptoms, diagnostic test results and response to treatment.
38 Treatment otherwise eligible for benefits pursuant to this section may not be denied
39 solely because such treatment might be characterized as unproven, experimental or
40 investigational in nature.

1

SUMMARY

2 Part A of the bill requires health insurance companies to provide coverage for long-
3 term antibiotic therapy for patients with Lyme disease in all individual and group health
4 insurance policies. The health insurance provisions apply to all policies issued or renewed
5 on or after January 1, 2011.

6 Part B of the bill provides protection from a licensing disciplinary action for
7 physicians that prescribe, administer or dispense long-term antibiotic therapy to patients
8 with Lyme disease.