

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 755

H.P. 506

House of Representatives, February 28, 2013

An Act To Require Estimates of Patient Costs Prior to Treatment

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BOLAND of Sanford.
Cosponsored by Senator GRATWICK of Penobscot and
Representatives: DeCHANT of Bath, MacDONALD of Old Orchard Beach, PEAVEY
HASKELL of Milford, RUSSELL of Portland, SHAW of Standish, STUCKEY of Portland,
Senators: COLLINS of York, SAVIELLO of Franklin.

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

2 **Sec. 1. 22 MRSA §1725** is enacted to read:

3 **§1725. Cost estimates of care**

4 **1. Provision of written cost estimate.** A health care provider shall provide a patient
5 with a written cost estimate of a proposed health care procedure or course of
6 nonemergency treatment, including prescription medication, recommended for the patient
7 and the amount of that cost that will be covered by the patient's insurer or other 3rd-party
8 payor. A cost estimate required by this section must include the provider's reasons for
9 recommending the specific procedure or course of treatment and, if there are other
10 options for the procedure or course of treatment, inform the patient of those options and
11 costs of those options. If a health care provider reports to a referring health care provider
12 recommending a procedure or course of treatment for a referred patient, the reporting
13 health care provider shall provide the referring health care provider a cost estimate
14 pursuant to the provisions of this section. For purposes of this subsection, "health care
15 provider" means a physician, health care practitioner, hospital, clinic, clinical laboratory,
16 health care facility or other person or facility that provides health care services and is
17 licensed or registered by the State.

18 **2. Person receiving the records.** The written cost estimate required in subsection 1
19 must be released to:

20 A. The person who is the subject of the treatment if that person is 18 years of age or
21 older;

22 B. The parent, guardian ad litem or legal guardian of the person who is the subject of
23 the treatment if the person is a minor or if a legal guardian is appointed;

24 C. The designee of a durable health care power of attorney executed by the person
25 who is the subject of treatment at the time that the power of attorney is in effect; or

26 D. The agent, guardian or surrogate pursuant to the Uniform Health-care Decisions
27 Act.

28 **SUMMARY**

29 This bill requires a health care provider to provide to a person recommended for a
30 nonemergency health care procedure or course of treatment a cost estimate of the
31 procedure or treatment, the provider's reasons for the procedure or treatment, other
32 options and their costs and the amount of the cost that will be paid for by the person's
33 insurer. This bill also requires a health care provider to provide a cost estimate to a
34 referring provider on a recommended procedure or course of treatment for a referred
35 patient.