

MAINE STATE LEGISLATURE

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2014
ROFS

1 Majority

L.D. 1642

2 Date: 3/17/14

(Filing No. S-431)

3 HEALTH AND HUMAN SERVICES

4 Reproduced and distributed under the direction of the Secretary of the Senate.

5 STATE OF MAINE

6 SENATE

7 126TH LEGISLATURE

8 SECOND REGULAR SESSION

9 COMMITTEE AMENDMENT "A" to S.P. 633, L.D. 1642, Bill, "An Act To
10 Clarify the Law Governing Public Disclosure of Health Care Prices"

11 Amend the bill by striking out everything after the enacting clause and before the
12 summary and inserting the following:

13 'Sec. 1. 22 MRSA §1718-A, as enacted by PL 2013, c. 332, §1 and affected by §3,
14 is repealed.

15 Sec. 2. 22 MRSA §1718-B is enacted to read:

16 **§1718-B. Consumer information regarding health care entity prices**

17 This section applies to the disclosure of health care prices by a health care entity.

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

20 A. "Frequently provided health care services and procedures" means those health
21 care services and procedures that were provided by the health care entity at least 50
22 times in the preceding calendar year.

23 B. "Health care entity" means a health care practitioner, as defined in section
24 1711-C, subsection 1, paragraph F; a group of health care practitioners; or a health
25 care facility, as defined in section 1711-C, subsection 1, paragraph D, that charges
26 patients for health care services and procedures. A health care entity does not include
27 a pharmacy or a pharmacist.

28 **2. Requirements.** The following requirements apply to health care entities.

29 A. A health care entity shall have available to patients the prices of the health care
30 entity's most frequently provided health care services and procedures. The prices
31 stated must be the prices that the health care entity charges patients directly when
32 there is no insurance coverage for the services or procedures or when reimbursement
33 by an insurance company is denied. The prices stated must be accompanied by

1 descriptions of the services and procedures and the applicable standard medical codes
2 or current procedural technology codes used by the American Medical Association.

3 B. A health care entity shall inform patients about the availability of prices for the
4 most frequently provided health care services and procedures.

5 C. A health care entity shall prominently display in a location that is readily
6 accessible to patients information on the price transparency tools available from the
7 publicly accessible website of the Maine Health Data Organization established
8 pursuant to chapter 1683 to assist consumers with obtaining estimates of costs
9 associated with health care services and procedures.

10 A health care entity that does not routinely render services directly to patients in an office
11 setting may satisfy this subsection by providing the information on its publicly accessible
12 website.'

13 **SUMMARY**

14 This amendment, which is the majority report of the committee, replaces the bill. It
15 retains the substance of the bill and adds the following.

16 1. It requires health care entities to maintain prices rather than price lists to reflect
17 that prices are typically retained in databases.

18 2. It requires health care entities to display a notice informing patients of their ability
19 to obtain estimates of costs from the Maine Health Data Organization.

20 3. It allows health care entities that do not render their services directly to patients in
21 an office setting to satisfy the requirements of notice by providing information on their
22 publicly accessible websites.