

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 66

S.P. 19

In Senate, January 15, 2019

**An Act To Prohibit Hospitals from Discussing Alternative Payment
Options with Hospitalized Patients**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator LAWRENCE of York.
Cosponsored by Representative MEYER of Eliot.

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

2 **Sec. 1. 22 MRSA §1716**, as enacted by PL 1995, c. 653, Pt. B, §7 and affected by
3 Pt. B, §8 and enacted by c. 696, Pt. A, §36, is amended to read:

4 **§1716. Charity care guidelines**

5 The department shall adopt reasonable guidelines for policies to be adopted and
6 implemented by hospitals with respect to the provision of health care services to patients
7 who are determined unable to pay for the services received. The department shall adopt
8 income guidelines that are consistent with the guidelines applicable to the Hill-Burton
9 Program established under 42 United States Code, Section 291, et seq. (1995). The
10 Except as provided in section 1716-A, the guidelines and policies must include the
11 requirement that upon admission or, in cases of emergency admission, before discharge
12 of a patient, hospitals must investigate the coverage of the patient by any insurance or
13 state or federal programs of medical assistance. The guidelines must include provisions
14 for notice to the public and the opportunity for a fair hearing regarding eligibility for
15 charity care.

16 **Sec. 2. 22 MRSA §1716-A** is enacted to read:

17 **§1716-A. Communication about alternative payment options with hospitalized**
18 **patients**

19 **1. Definition.** As used in this section, "alternative payment options" means a
20 hospital charity care or financial assistance program, a state or federal program of
21 medical assistance, a health insurance or health maintenance organization plan, a
22 prescription drug coverage program or any other payment arrangement intended to
23 provide payment for the costs associated with a patient's hospitalization.

24 **2. No communication about alternative payment options with patients during**
25 **hospitalization.** A hospital licensed by the State under chapter 405 may not
26 communicate with a patient regarding alternative payment options at any time during a
27 patient's hospitalization unless that communication is requested by the patient.

28 **3. Permissible communication.** A hospital may communicate with a patient about
29 alternative payment options prior to or upon the patient's admission to the hospital or at
30 the time of discharge.

31 **SUMMARY**

32 This bill prohibits a hospital from communicating with a patient regarding alternative
33 payment options at any time during a patient's hospitalization unless that communication
34 is requested by the patient. The bill permits communication with a patient prior to or
35 upon the patient's admission to the hospital or at the time of discharge.