

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1197

S.P. 372

In Senate, March 12, 2019

**An Act To Amend the Law Prohibiting the Denial by Health
Insurers of Referrals by Out-of-network Providers**

Reference to the Committee on Health Coverage, Insurance and Financial 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 FOLEY of York.
Cosponsored by Representative MORRIS of Turner and
Senators: CLAXTON of Androscoggin, HAMPER of Oxford, LAWRENCE of York,
Representatives: BRENNAN of Portland, MASTRACCIO of Sanford.

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

2 **Sec. 1. 24-A MRSA §4303, sub-§22**, as enacted by PL 2017, c. 232, §7, is
3 amended to read:

4 **22. Denial of referral by out-of-network provider prohibited.** Beginning January
5 1, 2018, a carrier may not deny payment for any health care service covered under an
6 enrollee's health plan based solely on the basis that the enrollee's referral was made by a
7 direct primary care provider who is not a member of the carrier's provider network. A
8 carrier may require a direct primary care provider making a referral who is not a member
9 of the carrier's provider network to meet appropriate credentialing standards consistent
10 with other primary care providers participating in the carrier's provider network. As used
11 in this subsection, "direct primary care provider" has the same meaning as in Title 22,
12 section 1771, subsection 1, paragraph B.

13 **SUMMARY**

14 This bill provides that the law that prohibits carriers from denying payment for
15 covered health care services solely on the basis that the referral for services was made by
16 an out-of-network provider applies only to referrals made by out-of-network direct
17 primary care providers. It also allows a carrier to require a direct primary care provider
18 who is not a member of the carrier's provider network and who makes a referral to meet
19 appropriate credentialing standards consistent with other primary care providers
20 participating in the carrier's provider network.