

MAINE STATE LEGISLATURE

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Date: 3/30/22 Minority L.D. 441
(Filing No. H-891)

HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 317, L.D. 441, "An Act To Expand Adult Dental Health Insurance Coverage"

Amend the bill by striking out everything after the enacting clause and inserting the following:

PART A

Sec. A-1. 24 MRSA §2317-B, sub-§22, as amended by PL 2019, c. 605, §3, is further amended to read:

22. Title 24-A, section 4320-M. Coverage for abortion services, Title 24-A, section 4320-M; and

Sec. A-2. 24 MRSA §2317-B, sub-§23, as enacted by PL 2019, c. 605, §4, is amended to read:

23. Title 24-A, sections 2766-A and 2847-W. The prohibition on a dental benefit waiting period for persons under 19 years of age, Title 24-A, sections 2766-A and 2847-W; and

Sec. A-3. 24 MRSA §2317-B, sub-§24 is enacted to read:

24. Title 24-A, section 4320-R. Coverage for comprehensive dental services, Title 24-A, section 4320-R.

Sec. A-4. 24-A MRSA §4320-R is enacted to read:

§4320-R. Coverage for comprehensive dental services

1. Definition. As used in this section, unless the context otherwise indicates, "comprehensive dental services" means the following dental services:

A. Acute surgical care directly related to an accident where traumatic injury has occurred;

B. Oral surgical and related medical procedures not involving the dentition and gingiva;

COMMITTEE AMENDMENT

- 1 C. Extraction of teeth that are severely decayed and pose a serious threat of infection
- 2 during a major surgical procedure of the cardiovascular system or the skeletal system
- 3 or during radiation therapy for a malignant tumor;
- 4 D. Treatment necessary to relieve pain, eliminate infection or prevent imminent tooth
- 5 loss;
- 6 E. Full and partial dentures; and
- 7 F. Other comprehensive preventive, diagnostic and restorative dental services to
- 8 maintain good oral and overall health, prevent disease and restore oral structures to
- 9 health and function.
- 10 **2. Required coverage.** A carrier offering a health plan in this State shall provide
- 11 coverage for comprehensive dental services.
- 12 **3. No cost sharing permitted.** Notwithstanding any provision of law to the contrary,
- 13 a health plan may not apply a copayment, deductible, coinsurance or other cost-sharing
- 14 requirement for comprehensive dental services covered by this section.
- 15 **4. Coordination of benefits with dental insurance.** If an enrollee eligible for
- 16 coverage under this section is also eligible for coverage under a dental insurance policy or
- 17 contract, the insurer providing dental insurance is the primary payer responsible for charges
- 18 under subsection 2 and the carrier is the secondary payer.
- 19 **Sec. A-5. Application.** The requirements of this Part apply to all policies, contracts
- 20 and certificates executed, delivered, issued for delivery, continued or renewed in this State
- 21 on or after January 1, 2023. For purposes of this Part, all contracts are deemed to be
- 22 renewed no later than the next yearly anniversary of the contract date.

PART B

- 23 **Sec. B-1. 24-A MRSA §4326, sub-§2,** as enacted by PL 2019, c. 522, §1, is
- 24 amended to read:
- 25 **2. Consumer assistance program services.** The services provided by the consumer
- 26 assistance program may include:
- 27 **A.** Assisting consumers with filing complaints and appeals with a group health plan,
- 28 health insurance carrier or independent review organization and providing information
- 29 about the internal and external appeal and grievance processes of a group health plan,
- 30 health insurance carrier or independent review organization;
- 31 **B.** Collecting, tracking and quantifying inquiries regarding health insurance and
- 32 problems encountered by consumers;
- 33 **C.** Educating consumers on their rights and responsibilities with respect to health
- 34 insurance coverage;
- 35 **D.** Assisting consumers with obtaining health insurance coverage, including access to
- 36 coverage for comprehensive dental services required by section 4320-R, by providing
- 37 information, referrals or other assistance;
- 38 **E.** Assisting with obtaining federal health insurance premium tax credits under Section
- 39 36B of the United States Internal Revenue Code of 1986, as amended; ~~and~~
- 40

1 F. Providing information to the public about the services of the consumer assistance
2 program through a comprehensive outreach program and a toll-free telephone number;
3 and

4 G. Providing information to the public about access to comprehensive dental services
5 through health insurance coverage required by section 4320-R or through the
6 MaineCare program, including information about dental providers providing those
7 services.

8 **Sec. B-2. Transfers from available fiscal year 2022-23 Department of**
9 **Professional and Financial Regulation, Other Special Revenue Funds balances**
10 **to the Department of the Attorney General.** Notwithstanding any provision of law
11 to the contrary, on October 1, 2022, the State Controller shall transfer \$55,000 from
12 available balances in the Bureau of Insurance, Other Special Revenue Funds account within
13 the Department of Professional and Financial Regulation to the Department of the Attorney
14 General.

15 **Sec. B-3. Appropriations and allocations.** The following appropriations and
16 allocations are made.

17 **ATTORNEY GENERAL, DEPARTMENT OF THE**
18 **Administration - Attorney General 0310**

19 Initiative: Provides an allocation to the Attorney General for the additional costs of adding
20 dental services to its contract with a designated, nonprofit and independent health insurance
21 consumer assistance entity to operate the Health Insurance Consumer Assistance Program.

22	OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
23	All Other	\$0	\$55,000
24			
25	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$55,000

26
27 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
28 number to read consecutively.

29 **SUMMARY**

30 This amendment is the minority report of the committee and replaces the bill.

31 Part A of the amendment requires health insurance carriers to provide coverage for
32 comprehensive dental services and prohibits a carrier from applying any cost-sharing
33 requirement to those services. The definition of "comprehensive dental services" is aligned
34 with the definition under the MaineCare program. Part A applies to policies and contracts
35 issued or renewed on or after January 1, 2023.

36 Part B of the amendment broadens the scope of services provided through the Health
37 Insurance Consumer Assistance Program to include assistance with obtaining
38 comprehensive dental services, including information about dental providers providing

COMMITTEE AMENDMENT "A" to H.P. 317, L.D. 441

1 these services. The amendment also provides additional funds to the consumer assistance
2 program for this purpose and also adds an appropriations and allocations section.

3

FISCAL NOTE REQUIRED

4

(See attached)



130th MAINE LEGISLATURE

LD 441

LR 164(02)

An Act To Expand Adult Dental Health Insurance Coverage

Fiscal Note for Bill as Amended by Committee Amendment *A (H-891)*
 Committee: Health Coverage, Insurance and Financial Services

Fiscal Note Required: Yes

Fiscal Note

Future biennium cost increase - All Funds

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Net Cost (Savings)				
General Fund	\$0	\$0	\$3,226,116	\$3,387,422
Highway Fund	\$0	\$0	\$1,135,712	\$1,192,498
Appropriations/Allocations				
General Fund	\$0	\$0	\$3,226,116	\$3,387,422
Highway Fund	\$0	\$0	\$1,135,712	\$1,192,498
Other Special Revenue Funds	\$0	\$55,000	\$0	\$0
Transfers				
Other Special Revenue Funds	\$0	\$0	\$0	\$0

Fiscal Detail and Notes

Requiring health insurance carriers to provide coverage for comprehensive dental services without applying cost sharing to those services will increase General Fund costs to the State Employee Health Plan beginning in the plan year that starts July 1, 2023 by \$3,226,116 in fiscal year 2023-24. The bill will also increase Highway Fund costs by \$1,135,712 beginning in fiscal year 2023-24.

This bill includes an Other Special Revenue Funds allocation of \$55,000 in fiscal year 2022-23 to the Department of the Attorney General for the additional costs of adding dental services to the contract for a Health Insurance Consumer Assistance Program. The allocation is funded for one year by a transfer to the Attorney General of \$55,000 from available balances within the Bureau of Insurance, Other Special Revenue Funds accounts in fiscal year 2022-23 only.