

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 530

S.P. 217

In Senate, February 24, 2021

An Act To Consolidate Patient Bills by Directing Health Insurers To Collect Copayments and Deductibles

Received by the Secretary of the Senate on February 22, 2021. Referred to the Committee on Health Coverage, Insurance and Financial Services pursuant to Joint Rule 308.2 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 CLAXTON of Androscoggin.
Cosponsored by Representative TEPLER of Topsham.

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

2 **Sec. 1. 24-A MRSA §4303-F** is enacted to read:

3 **§4303-F. Carriers responsible for collection of cost-sharing amounts**

4 **1. Collection of cost-sharing amounts.** A carrier offering a health plan that includes
5 cost-sharing requirements for copayments, coinsurance or deductibles shall collect the
6 amount of any copayment, coinsurance or deductible due under the terms of a health plan
7 owed by an enrollee, or the party responsible for making payments on an enrollee's behalf,
8 by issuing one consolidated bill for the cost-sharing requirements related to health care
9 services provided to an enrollee for each episode of care.

10 **2. Cost-sharing collection policy.** A carrier shall develop cost-sharing collection
11 guidelines and make information about the guidelines available to each enrollee, including
12 the posting of the guidelines on its publicly accessible website.

13 **3. No incentives permitted.** Except as provided in subsection 7, a carrier may not
14 induce, incentivize or otherwise require:

15 A. A provider to collect the amount of any copayment, coinsurance or deductible
16 directly from an enrollee or the party responsible for making payments on an enrollee's
17 behalf; or

18 B. An enrollee to pay the amount of any copayment, coinsurance or deductible directly
19 to a provider.

20 **4. No discontinuance of coverage.** A carrier may not discontinue coverage for an
21 enrollee under a health plan based on an enrollee's failure to pay the amount of any
22 copayment, coinsurance or deductible as required under the terms of a health plan.

23 **5. Reimbursement of provider.** A carrier that is obligated under the terms of a health
24 plan to pay for health care services rendered to an enrollee shall reimburse the provider
25 directly in an amount equal to the rate specified in the provider's agreement with the carrier,
26 including any copayment, coinsurance or deductible payable by an enrollee under the terms
27 of the plan.

28 **6. No delay in payment.** A carrier may not withhold or otherwise delay payment to
29 a provider because an enrollee has not paid the carrier any applicable copayment,
30 coinsurance or deductible.

31 **7. Exception.** This section does not require a carrier to collect any copayment,
32 coinsurance or deductible applicable to any health care services delivered by a pharmacy
33 provider in an outpatient setting.

34 **Sec. 2. Application.** The requirements of this Act apply to all health insurance
35 policies, contracts and certificates executed, delivered, issued for delivery, continued or
36 renewed in this State on or after January 1, 2023. For purposes of this Act, all contracts
37 are deemed to be renewed no later than the next yearly anniversary of the contract date.

38 **SUMMARY**

39 This bill clarifies that cost-sharing amounts in health plans must be collected by
40 carriers. The bill applies to health plans issued or renewed in this State on or after January
41 1, 2023.