

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 600

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S.P. 239

In Senate, March 1, 2021

### **An Act To Require Insurance Coverage for Certified Midwife Services**

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Received by the Secretary of the Senate on February 25, 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 BRENNER of Cumberland.  
Cosponsored by Senator: BREEN of Cumberland, Representatives: GRAMLICH of Old Orchard Beach, LIBBY of Auburn.

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

2 **Sec. 1. 24 MRSA §2332-K**, as amended by PL 2003, c. 517, Pt. B, §8, is further  
3 amended to read:

4 **§2332-K. Coverage for services of certified nurse practitioners; certified midwives;**  
5 **certified nurse midwives**

6 **1. Required coverage for services upon referral of primary care provider.** A  
7 nonprofit hospital or a medical service organization that issues individual and group health  
8 care contracts shall provide coverage under those contracts for services performed by a  
9 certified nurse practitioner, certified midwife or certified nurse midwife to a patient who is  
10 referred to the certified nurse practitioner, certified midwife or certified nurse midwife by  
11 a primary care provider when those services are within the lawful scope of practice of the  
12 certified nurse practitioner, certified midwife or certified nurse midwife.

13 **2. Required coverage for self-referred services.** With respect to individual and  
14 group health care contracts that do not require the selection of a primary care provider, a  
15 nonprofit hospital or medical service organization shall provide coverage under those  
16 contracts for services performed by a certified nurse practitioner, certified midwife or  
17 certified nurse midwife when those services are covered services and when they are within  
18 the lawful scope of practice of the certified nurse practitioner, certified midwife or certified  
19 nurse midwife.

20 **3. Limits; coinsurance; deductibles.** Any contract that provides coverage for  
21 services under this section may contain provisions for maximum benefits and coinsurance  
22 and reasonable limitations, deductibles and exclusions to the extent that these provisions  
23 are not inconsistent with the requirements of this section.

24 **4. Application.** The requirements of this section apply to all policies, contracts and  
25 certificates executed, delivered, issued for delivery, continued or renewed in this State. For  
26 purposes of this section, all contracts are deemed to be renewed no later than the next yearly  
27 anniversary of the contract date.

28 **Sec. 2. 24-A MRSA §2757**, as reallocated by RR 1999, c. 1, §32, is amended to  
29 read:

30 **§2757. Coverage for services of certified nurse practitioners; certified midwives;**  
31 **certified nurse midwives**

32 **1. Required coverage for services upon referral of primary care provider.** An  
33 insurer that issues individual health insurance policies and contracts shall provide coverage  
34 under those contracts for services performed by a certified nurse practitioner, certified  
35 midwife or certified nurse midwife to a patient who is referred to the certified nurse  
36 practitioner, certified midwife or certified nurse midwife by a primary care provider when  
37 those services are within the lawful scope of practice of the certified nurse practitioner,  
38 certified midwife or certified nurse midwife.

39 **2. Required coverage for self-referred services.** With respect to individual health  
40 insurance policies and contracts that do not require the selection of a primary care provider,  
41 an insurer shall provide coverage under those contracts for services performed by a certified  
42 nurse practitioner, certified midwife or certified nurse midwife when those services are

1 covered services and when they are within the lawful scope of practice of the certified nurse  
2 practitioner, certified midwife or certified nurse midwife.

3 **3. Limits; coinsurance; deductibles.** Any contract that provides coverage for  
4 services under this section may contain provisions for maximum benefits and coinsurance  
5 and reasonable limitations, deductibles and exclusions to the extent that these provisions  
6 are not inconsistent with the requirements of this section.

7 **Sec. 3. 24-A MRS §2847-H**, as amended by PL 2003, c. 517, Pt. B, §19, is further  
8 amended to read:

9 **§2847-H. Coverage for services of certified nurse practitioners; certified midwives;**  
10 **certified nurse midwives**

11 **1. Required coverage for services upon referral of primary care provider.** An  
12 insurer that issues group health insurance policies and contracts shall provide coverage  
13 under those contracts for services performed by a certified nurse practitioner, certified  
14 midwife or certified nurse midwife to a patient who is referred to the certified nurse  
15 practitioner, certified midwife or certified nurse midwife by a primary care provider when  
16 those services are within the lawful scope of practice of the certified nurse practitioner,  
17 certified midwife or certified nurse midwife.

18 **2. Required coverage for self-referred services.** With respect to group health  
19 insurance policies and contracts that do not require the selection of a primary care provider,  
20 an insurer shall provide coverage under those contracts for services performed by a certified  
21 nurse practitioner, certified midwife or certified nurse midwife when those services are  
22 covered services and when they are within the lawful scope of practice of the certified nurse  
23 practitioner, certified midwife or certified nurse midwife.

24 **3. Limits; coinsurance; deductibles.** Any contract that provides coverage for  
25 services under this section may contain provisions for maximum benefits and coinsurance  
26 and reasonable limitations, deductibles and exclusions to the extent that these provisions  
27 are not inconsistent with the requirements of this section.

28 **4. Application.** The requirements of this section apply to all group policies, contracts  
29 and certificates executed, delivered, issued for delivery, continued or renewed in this State.  
30 For purposes of this section, all contracts are deemed to be renewed no later than the next  
31 yearly anniversary of the contract date.

32 **Sec. 4. 24-A MRS §4248**, as amended by PL 2003, c. 517, Pt. B, §28, is further  
33 amended to read:

34 **§4248. Coverage for services of certified nurse practitioners; certified midwives;**  
35 **certified nurse midwives**

36 **1. Required coverage for services upon referral of primary care provider.** A  
37 health maintenance organization that issues individual and group health care contracts  
38 shall provide coverage under those contracts for services performed by a participating  
39 certified nurse practitioner, participating certified midwife or participating certified nurse  
40 midwife to a patient who is referred to the participating certified nurse practitioner,  
41 participating certified midwife or participating certified nurse midwife by a primary care  
42 provider when those services are within the lawful scope of practice of the participating

1 certified nurse practitioner, participating certified midwife or participating certified nurse  
2 midwife.

3 **2. Required coverage for self-referred services.** With respect to individual and  
4 group health care contracts that do not require the selection of a primary care provider, a  
5 health maintenance organization shall provide coverage under those contracts for services  
6 performed by a participating certified nurse practitioner, participating certified midwife or  
7 participating certified nurse midwife when those services are covered services and when  
8 they are within the lawful scope of practice of the participating certified nurse practitioner,  
9 participating certified midwife or participating certified nurse midwife.

10 **3. Limits; coinsurance; deductibles.** Any contract that provides coverage for  
11 services under this section may contain provisions for maximum benefits and coinsurance  
12 and reasonable limitations, deductibles and exclusions to the extent that these provisions  
13 are not inconsistent with the requirements of this section.

14 **4. Application.** The requirements of this section apply to all individual and group  
15 policies, contracts and certificates executed, delivered, issued for delivery, continued or  
16 renewed in this State. For purposes of this section, all contracts are deemed to be renewed  
17 no later than the next yearly anniversary of the contract date.

18 **Sec. 5. 24-A MRSA §4303, sub-§5,** as amended by PL 2007, c. 199, Pt. B, §10, is  
19 further amended to read:

20 **5. Identification of services provided by certified nurse practitioners, certified**  
21 **midwives and certified nurse midwives.** All claims for coverage of services provided by  
22 certified nurse practitioners, certified midwives and certified nurse midwives must identify  
23 the certified nurse practitioners, certified midwives and certified nurse midwives who  
24 provided those services. A carrier offering or renewing a health plan in this State shall  
25 assign identification numbers or codes to certified nurse practitioners, certified midwives  
26 and certified nurse midwives who provide covered services for enrollees covered under  
27 that plan. A claim submitted for payment to a carrier by a health care provider or facility  
28 must include the identification number or code of the certified nurse practitioner, certified  
29 midwife or certified nurse midwife who provided the service and may not be submitted  
30 using the identification number or code of a physician or other health care provider who  
31 did not provide the covered service.

32 **Sec. 6. Application.** The requirements of this Act apply to all policies, contracts  
33 and certificates executed, delivered, issued for delivery, continued or renewed in this State  
34 on or after October 1, 2021. For purposes of this Act, all contracts are deemed to be  
35 renewed no later than the next yearly anniversary of the contract date.

## 36 SUMMARY

37 This bill requires insurance coverage for services performed by certified midwives.