

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 945

H.P. 701

House of Representatives, March 8, 2021

An Act Regarding Notice by Health Insurance Carriers of Policy Changes

Reference to the Committee on Health Coverage, Insurance and Financial Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MORRIS of Turner.

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

2 **Sec. 1. 24-A MRSA §4303, sub-§9**, as amended by PL 2007, c. 199, Pt. B, §11, is
3 further amended to read:

4 **9. Notice of amendments to provider agreements.** A carrier offering or renewing a
5 health plan in this State shall notify a participating provider of a proposed amendment to a
6 provider agreement at least 60 days prior to the amendment's proposed effective date. If
7 an amendment that has substantial impact on the rights and obligations of providers is made
8 to a manual, policy or procedure document referenced in the provider agreement, such as
9 material changes to fee schedules or material changes to procedural coding rules specified
10 in the manual, policy or procedure document, the carrier shall provide 60 days' notice to
11 the provider. After the 60-day notice period has expired, the amendment to a manual,
12 policy or procedure document becomes effective and binding on both the carrier and the
13 provider subject to any applicable termination provisions in the provider agreement, except
14 that the carrier and provider may mutually agree to waive the 60-day notice requirement.
15 This subsection may not be construed to limit the ability of a carrier and provider to
16 mutually agree to the proposed change at any time after the provider has received notice of
17 the proposed amendment. The notice required by this subsection must be provided in
18 writing to each provider, and the notice must be the only subject of the written
19 communication.

20 **SUMMARY**

21 This bill provides that the notice insurance carriers must give to health care providers
22 in order to change a material term of the contract during the contract year must be in writing
23 and be the only subject of the written communication.