

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1341

H.P. 992

House of Representatives, March 30, 2021

An Act To Protect Medicare Beneficiaries from Surprise Medical Billing

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 BELL of Yarmouth.

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

2 **Sec. 1. 32 MRSA §2600-G** is enacted to read:

3 **§2600-G. Balance billing of Medicare beneficiaries prohibited**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Balance bill" means to charge to or collect from a Medicare beneficiary any amount
7 in excess of the reasonable charge for a service, procedure or treatment paid to a
8 physician under the Medicare program.

9 B. "Medicare" means the federal Health Insurance for the Aged Act, Title XVIII of the
10 Social Security Amendments of 1965, as amended.

11 C. "Medicare beneficiary" means a person who is a beneficiary of health insurance
12 under Medicare.

13 **2. Balance billing prohibited.** A physician licensed under this chapter may not
14 balance bill a Medicare beneficiary for any service, procedure or treatment provided to the
15 Medicare beneficiary in the physician's office.

16 **3. Notice; posting.** A physician who treats Medicare beneficiaries shall post a
17 summary of the provisions of this section in a conspicuous place in the physician's office.
18 The summary must include the statement that any person aggrieved by a physician's failure
19 to comply with the provisions of this section may file a complaint with the board and must
20 include toll-free telephone numbers to be used for this purpose.

21 **4. Complaints; violations.** An individual may file a complaint with the board seeking
22 disciplinary action concerning a violation of this section. The board shall investigate or
23 cause to be investigated and shall resolve a complaint on its own motion or upon receipt of
24 a written complaint. The board shall conduct its actions in accordance with the Maine
25 Administrative Procedure Act.

26 **Sec. 2. 32 MRSA §3300-J** is enacted to read:

27 **§3300-J. Balance billing of Medicare beneficiaries prohibited**

28 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
29 following terms have the following meanings.

30 A. "Balance bill" means to charge to or collect from a Medicare beneficiary any
31 amount in excess of the reasonable charge for a service, procedure or treatment paid to
32 a physician under the Medicare program.

33 B. "Medicare" means the federal Health Insurance for the Aged Act, Title XVIII of
34 the Social Security Amendments of 1965, as amended.

35 C. "Medicare beneficiary" means a person who is a beneficiary of health insurance
36 under Medicare.

37 **2. Balance billing prohibited.** A physician licensed under this chapter may not
38 balance bill a Medicare beneficiary for any service, procedure or treatment provided to the
39 Medicare beneficiary in the physician's office.

