

MAINE STATE LEGISLATURE

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Date: 3/28/22

(Filing No. S-470)

HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

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**STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 443, L.D. 1357, "An Act To Require Private Insurance Coverage for Postpartum Care"

Amend the bill by striking out the title and substituting the following:

'An Act To Clarify Health Insurance Coverage for Postpartum Care'

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

'Sec. 1. 24-A MRSA §2743-B is enacted to read:

§2743-B. Maternity and postpartum care

An insurer that issues individual contracts providing maternity benefits shall provide coverage for 12 months following childbirth for postpartum care services and support necessary to transition a patient to a healthy and stable condition that meets the recommendations of the American College of Obstetricians and Gynecologists outlined in the "Optimizing Postpartum Care" opinion published May 2018. The postpartum care services and support provided in accordance with this section must include coverage for development of a postpartum care plan; contact with the patient within 3 weeks of the end of pregnancy; a comprehensive postpartum visit, including a full assessment of the patient's physical, social and psychological well-being; treatment of complications of pregnancy and childbirth, including pelvic floor disorders and postpartum depression; assessment of risk factors for cardiovascular disease; and care related to pregnancy loss.

Sec. 2. 24-A MRSA §2834-D is enacted to read:

§2834-D. Maternity and postpartum care

An insurer that issues group contracts providing maternity benefits shall provide coverage for 12 months following childbirth for postpartum care services and support necessary to transition a patient to a healthy and stable condition that meets the recommendations of the American College of Obstetricians and Gynecologists outlined in the "Optimizing Postpartum Care" opinion published May 2018. The postpartum care services and support provided in accordance with this section must include coverage for

COMMITTEE AMENDMENT

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1 development of a postpartum care plan; contact with the patient within 3 weeks of the end
2 of pregnancy; a comprehensive postpartum visit, including a full assessment of the patient's
3 physical, social and psychological well-being; treatment of complications of pregnancy and
4 childbirth, including pelvic floor disorders and postpartum depression; assessment of risk
5 factors for cardiovascular disease; and care related to pregnancy loss.

6 **Sec. 3. 24-A MRSA §4234-F** is enacted to read:

7 **§4234-F. Maternity and postpartum care**

8 A health maintenance organization that issues individual and group contracts providing
9 maternity benefits shall provide coverage for 12 months following childbirth for
10 postpartum care services and support necessary to transition a patient to a healthy and stable
11 condition that meets the recommendations of the American College of Obstetricians and
12 Gynecologists outlined in the "Optimizing Postpartum Care" opinion published May 2018.
13 The postpartum care services and support provided in accordance with this section must
14 include coverage for development of a postpartum care plan; contact with the patient within
15 3 weeks of the end of pregnancy; a comprehensive postpartum visit, including a full
16 assessment of the patient's physical, social and psychological well-being; treatment of
17 complications of pregnancy and childbirth, including pelvic floor disorders and postpartum
18 depression; assessment of risk factors for cardiovascular disease; and care related to
19 pregnancy loss.

20 **Sec. 4. No addition to State's essential health benefits; legislative finding.**

21 The Legislature finds that the requirements of this Act do not constitute an addition to the
22 State's essential health benefits that requires defrayal of costs by the State pursuant to 42
23 United States Code, Section 18031(d)(3)(B) because the requirements clarify that existing
24 law mandating coverage for maternity benefits includes coverage for 12 months of
25 postpartum care that meets the recommendations of the American College of Obstetricians
26 and Gynecologists.

27 **Sec. 5. Application.** This Act applies to all policies, contracts and certificates
28 executed, delivered, issued for delivery, continued or renewed in this State on or after
29 January 1, 2023. For purposes of this Act, all contracts are deemed to be renewed no later
30 than the next yearly anniversary of the contract date.'

31 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
32 number to read consecutively.

33 **SUMMARY**

34 This amendment replaces the bill. The amendment clarifies that maternity benefits
35 provided by health insurers must include coverage for 12 months of postpartum care that
36 meets the recommendations of the American College of Obstetricians and Gynecologists.
37 The amendment makes the provisions apply to both individual and group contracts issued
38 by insurers and health maintenance organizations and changes the application date to
39 January 1, 2023.

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COMMITTEE AMENDMENT "A" to S.P. 443, L.D. 1357 (S-470)

1 The amendment also includes language stating the Legislature's finding that the
2 changes are not an addition to the State's essential health benefits that would require the
3 State to defray costs pursuant to the federal Patient Protection and Affordable Care Act.

4

FISCAL NOTE REQUIRED

5

(See attached)

COMMITTEE AMENDMENT



130th MAINE LEGISLATURE

LD 1357

LR 888(02)

An Act To Require Private Insurance Coverage for Postpartum Care

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-470)
 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	\$177,298	\$186,163
Highway Fund	\$0	\$0	\$62,415	\$65,536
Appropriations/Allocations				
General Fund	\$0	\$0	\$177,298	\$186,163
Highway Fund	\$0	\$0	\$62,415	\$65,536

Fiscal Detail and Notes

Requiring health insurers that cover maternity benefits to provide coverage for 12 months of postpartum care that meets the recommendations of the American College of Obstetricians and Gynecologists will increase General Fund costs to the State Employee Health Plan beginning in the plan year that starts July 1, 2023 by \$177,298 in fiscal year 2023-24. The bill will also increase Highway Fund costs by \$62,415 beginning in fiscal year 2023-24. These estimates are based on the assumption that this required coverage will increase costs to the plan by \$1.43 per member per month (PMPM).