

MAINE STATE LEGISLATURE

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Date: 4/3/24

(Filing No. S-654)

MAJORITY

ROS

HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

131ST LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 71, L.D. 132, "An Act to Require Health Insurance Carriers to Provide Coverage for Blood Testing for Perfluoroalkyl and Polyfluoroalkyl Substances"

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

Sec. 1. 24-A MRS §4320-W is enacted to read:

§4320-W. Coverage for blood testing for PFAS

1. Definition. As used in this section, unless the context otherwise indicates, "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means any member of the class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

2. Required coverage. A carrier offering a health plan in this State shall provide coverage for blood testing for perfluoroalkyl and polyfluoroalkyl substances that is recommended by a provider as medically necessary health care for an enrollee. For the purposes of this subsection, blood testing for PFAS is presumed to be medically necessary health care for an enrollee if a provider determines that the enrollee meets clinical guidelines for blood testing for PFAS established by the National Academies of Sciences, Engineering, and Medicine, its successor organization or a comparable organization.

3. Cost sharing prohibited. A health plan may not impose any deductible, copayment, coinsurance or other cost-sharing requirement for the costs of blood testing required to be covered under subsection 2. This subsection does not apply to a health plan offered for use with a health savings account unless the federal Internal Revenue Service determines that the requirements in this subsection are permissible in a high deductible health plan as defined in the federal Internal Revenue Code, Section 223(c)(2).

Sec. 2. Application. This Act applies to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2025. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

COMMITTEE AMENDMENT

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Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF
State Benefit Mandate Defrayal Z373**

Initiative: Provides ongoing funding for the cost of the benefit mandate providing coverage of blood testing for perfluoroalkyl and polyfluoroalkyl substances, beginning January 1, 2025.

GENERAL FUND	2023-24	2024-25
All Other	\$0	\$90,000
GENERAL FUND TOTAL	\$0	\$90,000

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

SUMMARY

This amendment is the majority report of the committee and replaces the bill. The amendment requires carriers offering health plans in this State to provide coverage for blood testing for perfluoroalkyl and polyfluoroalkyl substances, or PFAS, recommended by a provider as medically necessary health care in accordance with clinical guidelines established by the National Academies of Sciences, Engineering, and Medicine. The requirements of the amendment apply to health plans issued or renewed on or after January 1, 2025. The amendment also adds an appropriation to provide funding for the costs of the benefit mandate defrayal required by federal law.

FISCAL NOTE REQUIRED
(See attached)



131st MAINE LEGISLATURE

LD 132

LR 143(02)

An Act to Require Health Insurance Carriers to Provide Coverage for Blood Testing for Perfluoroalkyl and Polyfluoroalkyl Substances

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-654)
 Committee: Health Coverage, Insurance and Financial Services
 Fiscal Note Required: Yes

Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Net Cost (Savings)				
General Fund	\$0	\$90,000	\$223,343	\$223,343
Highway Fund	\$0	\$0	\$15,996	\$15,996
Appropriations/Allocations				
General Fund	\$0	\$90,000	\$223,343	\$223,343
Highway Fund	\$0	\$0	\$15,996	\$15,996

Fiscal Detail and Notes

This bill requires carriers offering health plans in this State to provide coverage for blood testing for perfluoroalkyl and polyfluoroalkyl substances. The requirements of the bill apply to health plans issued or renewed on or after January 1, 2025. The bill includes General Fund appropriations to the Department of Administrative and Financial Services of \$90,000 for the estimated cost to reimburse the insurance carriers, for 6 months of the State's defrayal cost of this new mandate. The mandate will go into effect on all health insurance plans on the marketplace beginning January 1, 2025 and is estimated to cost \$180,000 annually, thereafter.

The State Employee Health Plan's first impacted plan year will be SFY 2026 and is estimated to cost \$96,000 annually thereafter. The costs are split across the General Fund (\$43,343), Highway Funds (\$15,996) and all other funds (\$36,661).