

MAINE STATE LEGISLATURE

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Date: 3/9/24

(Filing No. S-734)

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STATE OF MAINE
SENATE
131ST LEGISLATURE
SECOND REGULAR SESSION

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SENATE AMENDMENT "A" to 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"

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Amend the amendment by inserting after section 1 the following:

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'Sec. 2. No addition to State's essential health benefits; legislative finding.
The Legislature finds that the requirements of this Act do not constitute an addition to the State's essential health benefits that requires defrayal of costs by the State pursuant to 42 United States Code, Section 18031(d)(3)(B) because this Act requires coverage for blood testing for perfluoroalkyl and polyfluoroalkyl substances, or PFAS, that is recommended by a provider as medically necessary health care upon a provider's determination that the clinical guidelines for blood testing for PFAS established by the National Academies of Sciences, Engineering, and Medicine, its successor organization or a comparable organization have been met.'

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Amend the amendment by striking out all of section 3.

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

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SUMMARY

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This amendment adds language stating the Legislature's finding that the requirements for coverage of blood testing for perfluoroalkyl and polyfluoroalkyl substances, or PFAS, are not an addition to the State's essential health benefits that would require the State to defray costs pursuant to the federal Patient Protection and Affordable Care Act. The amendment also strikes the appropriations and allocations section.

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SPONSORED BY: M. Rotundo

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(Senator ROTUNDO, M.)

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COUNTY: Androscoggin

FISCAL NOTE REQUIRED
(See attached)

SENATE AMENDMENT



131st MAINE LEGISLATURE

LD 132

LR 143(04)

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

Fiscal Note for Senate Amendment "A" to Committee Amendment "A" (S-734)

Sponsor: Sen. Rotundo of Androscoggin

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)	(\$180,000)	(\$180,000)
Highway Fund	\$0	\$0	\$0	\$0
Appropriations/Allocations				
General Fund	\$0	(\$90,000)	(\$180,000)	(\$180,000)
Highway Fund	\$0	\$0	\$0	\$0

Fiscal Detail and Notes

This amendment adds language stating the Legislature's finding that the requirements for coverage of blood testing for PFAS are not an addition to the State's essential health benefits that would require the State to defray costs pursuant to the federal Patient Protection and Affordable Care Act. Assuming this is a valid argument, the General Fund appropriations to the Department of Administrative and Financial Services of \$90,000 for the estimated cost to reimburse insurance carriers for 6 months of the State's defrayal cost of this new mandate are removed.

If this argument is deemed invalid in the future, there could potentially be up to \$180,000 annual unfunded costs in the program in future biennia.