

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

GA
ROS

Date: 4/1/24

(Filing No. S-636)

REPORT A

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. 199, L.D. 444, "An Act to Designate First Responders and Other Public Safety Professionals as a Special Risk Population for the Purposes of Improving Insurance Coverage for the Effects of Trauma"

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

'An Act to Require Health Insurance Coverage for Specialized Risk Screening for First Responders and Other Public Safety Professionals'

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

'Sec. 1. 24-A MRSA §4317-F is enacted to read:

§4317-F. Coverage of specialized risk screening associated with health of first responders

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

A. "First responder" means an employee or occasional employee or volunteer that is a member of a state, county or municipal government entity that provides or has the authority to provide fire, emergency medical, emergency communications, correctional or police services.

B. "Specialized risk screening" means any of the following standard, medically accepted tests:

(1) Tests for evidence of any cancer with a known employment-related risk of exposure for a first responder;

(2) Blood tests, including tests conducted for a complete blood count, comprehensive metabolic panel, renal panel and hepatic panel;

(3) Mammography, colonoscopy or prostate examinations regardless of the age of the person who is the subject of the examination;

COMMITTEE AMENDMENT

ROS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40

(4) Tests of any measure of serum activity of lipoprotein-associated phospholipase enzyme A2, oxidized low-density lipoprotein or additional indicators of endovascular inflammation; or

(5) Tests to measure vitamin deficiencies, nutritional deficits and mineral levels.

2. Eligible enrollee. An enrollee is eligible for coverage under this section if the enrollee meets the following conditions:

A. The enrollee is a first responder;

B. As determined by the enrollee's provider, the enrollee's receipt of specialized risk screening has meaningful potential for preventive clinical benefit to the enrollee; and

C. The enrollee's provider has determined that specialized risk screening is medically appropriate based upon the satisfaction of the conditions in paragraphs A and B.

3. Coverage for specialized risk screening. A carrier offering a health plan in this State may not deny coverage to an enrollee for specialized risk screening recommended by a provider pursuant to subsection 2.

4. Limits on prior authorization; first responder health and wellness providers. Notwithstanding any requirements in section 4320-A to the contrary, a carrier may not subject any specialized risk screening to any prior authorization requirement except that:

A. A carrier may request verification of an enrollee's status as a first responder; and

B. A carrier may request prior authorization if the specialized risk screening will be conducted by a recognized first responder health or wellness provider or a laboratory not affiliated with the enrollee's provider.

5. Cost sharing prohibited. A health plan may not impose any deductible, copayment, coinsurance or other cost-sharing requirement for the costs of specialized risk screening. 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. The requirements of this Act apply 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.'

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

SUMMARY

This amendment replaces the bill, which is a concept draft, and changes the title. For policies issued or renewed on or after January 1, 2025, the amendment prohibits a health insurance carrier from denying coverage to an enrollee who is a first responder for specialized risk screening recommended by a health care provider. It limits the ability of a health insurance carrier to require prior authorization for specialized risk screening. It also prohibits a carrier from imposing any out-of-pocket costs for specialized risk screening

COMMITTEE AMENDMENT

ROS

COMMITTEE AMENDMENT "A" to S.P. 199, L.D. 444 (S-63le)

1 except for high deductible health plans offered for use in connection with a health savings
2 account to the extent required under federal regulations.

3 **FISCAL NOTE REQUIRED**

4 **(See attached)**



131st MAINE LEGISLATURE

LD 444

LR 1803(02)

An Act to Designate First Responders and Other Public Safety Professionals as a Special Risk Population for the Purposes of Improving Insurance Coverage for the Effects of Trauma

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-636)
 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	\$0	\$418,548	\$418,548
Highway Fund	\$0	\$0	\$154,472	\$154,472
Appropriations/Allocations				
General Fund	\$0	\$0	\$418,548	\$418,548
Highway Fund	\$0	\$0	\$154,472	\$154,472

Fiscal Detail and Notes

This bill prohibits carriers of health plans in this State from denying coverage to an enrollee who is a first responder for specialized risk screening recommended by a health care provider. It also limits the ability of a health insurance carrier to require prior authorization for specialized risk screening and prohibits a carrier from imposing any out-of-pocket costs for specialized screening except for high-deductible health plans offered for use in connection with a health savings account to the extent required under federal regulations. The requirements of the bill apply to health plans issued or renewed on or after January 1, 2025. The State Employee Health Plan's first impacted plan year will be SFY 2026 and is estimated to cost \$927,046 annually thereafter. The costs are split across the General Fund (\$418,548), Highway Funds (\$154,472) and all other funds (\$354,026).

The bill could potentially be considered a mandate by the federal government which would require the State to reimburse the federal government for the State's defrayal cost. The potential mandate would go into effect on January 1, 2025 and would impact costs in future biennia.