

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 995

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H.P. 630

House of Representatives, March 7, 2023

**An Act to Provide Insurance Coverage for a Second Opinion If a  
Health Care Provider Recommends an Abortion for Health or  
Safety Reasons**

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Reference to the Committee on Health Coverage, Insurance and Financial Services  
suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative QUINT of Hodgdon.  
Cosponsored by Senator HARRINGTON of York and  
Representatives: COLLAMORE of Pittsfield, COLLINGS of Portland, DODGE of Belfast,  
PERRY of Calais, PERRY of Bangor, THERIAULT of Fort Kent, WHITE of Waterville,  
Senator: BALDACCI of Penobscot.

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

2 **Sec. 1. 22 MRSA §1599-A, sub-§3** is enacted to read:

3 **3. Information related to health insurance coverage for 2nd opinion.** A health  
4 care professional, as defined in section 1596, subsection 1, paragraph C, shall provide to a  
5 pregnant person information related to the right to a 2nd opinion when the health care  
6 professional has recommended an abortion due to the health or safety of the pregnant  
7 person or fetus and the availability of health insurance coverage for that 2nd opinion,  
8 including the waiver of any cost-sharing requirements, as required by Title 24-A, section  
9 4320-M. The health care professional shall provide the notice required by this subsection  
10 in writing and in a culturally and linguistically appropriate manner for the pregnant person,  
11 unless the pregnant person is unable to communicate and has not designated an authorized  
12 representative to receive the notice.

13 **Sec. 2. 24-A MRSA §4320-M, sub-§1-A** is enacted to read:

14 **1-A. Second opinion.** At an enrollee's request, a carrier shall provide coverage for  
15 the costs of a 2nd opinion and any additional testing by any provider of the enrollee's choice  
16 after the enrollee's provider has recommended an abortion due to the health or safety of the  
17 enrollee or fetus.

18 **Sec. 3. 24-A MRSA §4320-M, sub-§2,** as enacted by PL 2019, c. 274, §5, is  
19 amended to read:

20 **2. Limits; deductible; copayment; coinsurance.** A health plan that provides  
21 coverage for the services required by this section may contain provisions for maximum  
22 benefits and ~~coinsurance and~~ reasonable limitations, ~~deductibles~~ and exclusions to the  
23 extent that these provisions are not inconsistent with the requirements of this section. A  
24 health plan may not impose any deductible, copayment, coinsurance or other cost-sharing  
25 requirement for the costs of a 2nd opinion in accordance with subsection 1-A.

## 26 SUMMARY

27 This bill requires a health insurance carrier to provide coverage for the costs of a 2nd  
28 opinion and any additional testing by any provider of the enrollee's choice after the  
29 enrollee's provider has recommended an abortion due to the health or safety of the enrollee  
30 or fetus. The bill also requires health care professionals to inform a patient in writing of the  
31 right to a 2nd opinion and the availability of health insurance coverage for the costs of that  
32 opinion.