

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1035

H.P. 671

House of Representatives, March 7, 2023

An Act to Adjust Reimbursement for Chiropractic Services

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

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative PERRY of Calais.
Cosponsored by Senator RENY of Lincoln and
Representative: LEMELIN of Chelsea.

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

2 **Sec. 1. 24-A MRSA §2748, sub-§5**, as enacted by PL 2015, c. 111, §1 and affected
3 by §4, is amended to read:

4 **5. Reimbursement; discrimination.** An insurer subject to this section may not refuse
5 to reimburse a chiropractic provider who participates in the insurer's provider network for
6 providing a health care service or procedure covered by the insurer as long as the
7 chiropractic provider is acting within the lawful scope of that provider's license in the
8 delivery of the covered service or procedure. Consistent with reasonable medical
9 management techniques specified under the insurer's contract with respect to the method,
10 treatment or setting for a covered service or procedure, the insurer may not discriminate
11 based on the chiropractic provider's license in comparison to services that are identical or
12 of similar therapeutic value provided by other health care providers with a different type of
13 license. This subsection does not require an insurer to accept all chiropractic providers into
14 a network or ~~govern the amount of the reimbursement paid to a chiropractic provider~~
15 ~~prevent an insurer from establishing varying reimbursement rates based only on quality or~~
16 ~~performance measures.~~ An insurer shall make available to chiropractors a quality or
17 performance measure used to establish reimbursement rates.

18 **Sec. 2. 24-A MRSA §2840-A, sub-§5**, as enacted by PL 2015, c. 111, §2 and
19 affected by §4, is amended to read:

20 **5. Reimbursement; discrimination.** An insurer subject to this section may not refuse
21 to reimburse a chiropractic provider who participates in the insurer's provider network for
22 providing a health care service or procedure covered by the insurer as long as the
23 chiropractic provider is acting within the lawful scope of that provider's license in the
24 delivery of the covered service or procedure. Consistent with reasonable medical
25 management techniques specified under the insurer's contract with respect to the method,
26 treatment or setting for a covered service or procedure, the insurer may not discriminate
27 based on the chiropractic provider's license in comparison to services that are identical or
28 of similar therapeutic value provided by other health care providers with a different type of
29 license. This subsection does not require an insurer to accept all chiropractic providers into
30 a network or ~~govern the amount of the reimbursement paid to a chiropractic provider~~
31 ~~prevent an insurer from establishing varying reimbursement rates based only on quality or~~
32 ~~performance measures.~~ An insurer shall make available to chiropractors a quality or
33 performance measure used to establish reimbursement rates.

34 **Sec. 3. 24-A MRSA §4236, sub-§2**, as amended by PL 2015, c. 111, §3 and
35 affected by §4, is further amended to read:

36 **2. Benefits; discrimination.** The health maintenance organization shall provide
37 benefits covering care by chiropractic providers at least equal to and consistent with the
38 benefits paid to other health care providers treating similar ~~neuro-musculoskeletal~~
39 neuromusculoskeletal conditions. A health maintenance organization may not refuse to
40 reimburse a chiropractic provider who participates in the health maintenance organization's
41 provider network for providing a health care service or procedure covered by the health
42 maintenance organization as long as the chiropractic provider is acting within the lawful
43 scope of that provider's license in the delivery of the covered service or procedure.
44 Consistent with reasonable medical management techniques specified under the health
45 maintenance organization's contract with respect to the method, treatment or setting for a

1 covered service or procedure, the health maintenance organization may not discriminate in
2 regard to benefits provided based on the chiropractic provider's license in comparison to
3 services that are identical or of similar therapeutic value provided by other health care
4 providers with a different type of license. This subsection does not require a health
5 maintenance organization to accept all chiropractic providers into a network or ~~govern the~~
6 ~~reimbursement paid to a chiropractic provider~~ prevent a health maintenance organization
7 from establishing varying benefit rates based only on quality or performance measures. A
8 health maintenance organization shall make available to chiropractors a quality or
9 performance measure used to establish benefit rates.

10

SUMMARY

11 This bill requires health insurers to provide the same benefits for chiropractic services
12 as other similar services and requires health insurers to make available to chiropractors
13 quality or performance measures used to establish rates of reimbursement.