

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

**PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TENTH LEGISLATURE

1981

CHAPTER 205

H. P. 447 — L. D. 508

AN ACT to Provide for the Arbitration of Disputes Between Health Insurers and Policyholders.

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

Sec. 1. 24 MRSA § 2316, 6th sentence, as repealed and replaced by PL 1979, c. 541, Pt. B, § 30, is amended to read:

No contracts may be delivered or issued for delivery in this State unless they meet the requirements of Title 24-A, sections 2438 to 2445 and section 2747.

Sec. 2. 24-A MRSA § 2747 is enacted to read:

§ 2747. Review and arbitration

1. Any insurer denying medical expense reimbursement benefits on any of the grounds specified in subsection 2 for a claim filed pursuant to a policy issued under this chapter, shall provide the policy or certificate holder with an opportunity to have the denial reviewed by the insurer and to arbitrate the denial if not satisfied after review. The right to review and arbitrate shall be prominently set forth in any written notice sent to the policy or certificate holder denying the claim. The arbitration shall be nonbinding and shall be carried out in accordance with procedures established by the insurer.

2. The procedure specified in subsection 1 shall apply to the denial of any medical expense reimbursement benefits based upon:

A. A health condition existing prior to the effective coverage of the policy or certificate; or

B. The lack of medical necessity.

Sec. 3. 24-A MRSA § 2816, as last amended by PL 1973, c. 585, § 12, is further amended by adding at the end a new sentence to read:

Insurers offering policies under this chapter shall offer to certificate holders the right of review and arbitration set forth in section 2747, except that the requirement of section 2747 shall not apply to certificate holders in groups subject to the United States Employee Retirement Income Security Act of 1974, Public Law 93-406, as amended, or to any policy or certificate holder to whom the insurer voluntarily extends a review similar to that which it provides to persons insured under group policies subject to that Act.

Sec. 4. Application. This Act applies to individual and group contracts and policies in this State which are delivered, issued for delivery, renewed or amended on or after January 1, 1982.

Effective September 18, 1981

CHAPTER 206

H. P. 542 — L. D. 603

AN ACT to Increase the Fees and Provide for Continuing Education of Podiatrists.

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

32 MRSA § 3652, as repealed and replaced by PL 1977, c. 267, § 1, is repealed and the following enacted in its place:

§ 3652. Fees; reexamination; license renewal

Every applicant for an examination for a license to practice podiatry shall, at the time of filing his application, pay to the secretary of the Board of Registration in Medicine a fee of \$100. In case the application is denied and examination refused, $\frac{1}{2}$ of the fee shall be returned to the applicant. Any applicant who fails to pass an examination shall be entitled to a reexamination within 6 months upon the payment of an additional \$50, but only 2 such reexaminations shall be permitted. Podiatrists having been licensed in another state and applying for license to practice in this State without examination shall pay a fee of \$100.

Every doctor of podiatric medicine licensed to practice podiatric medicine and surgery within this State shall, on or before July 1, 1981 and on or before July 1st of every odd-numbered year thereafter, apply to the examiners for a certificate of license renewal on a form furnished by the examiners and shall pay a renewal fee of no more than \$100.

On or before July 1, 1983, and on or before July 1st of every odd-numbered year thereafter, any applicant, who is practicing podiatric medicine and surgery in this State, shall include satisfactory evidence to the board that in the preceding 2 years the applicant has completed a program of continuing education as prescribed in the rules and regulations of the examiners.

If application for license renewal according to the conditions set forth in this section is not submitted within 3 months after the date of notification by the secretary that such renewal is due, the license of the person so failing to renew shall lapse. The license shall be reissued only by a majority vote of the examiners