

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTIETH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 2020 to March 30, 2021**

**FIRST SPECIAL SESSION**  
**April 28, 2021 to July 19, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 18, 2021**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2021**

CHAPTER 311  
H.P. 701 - L.D. 945

An Act Regarding Notice by  
Health Insurance Carriers of  
Policy Changes

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

Sec. 1. 24-A MRSA §4303, sub-§9, as amended by PL 2007, c. 199, Pt. B, §11, is further amended to read:

9. Notice of amendments to provider agreements. A carrier offering or renewing a health plan in this State shall notify a participating provider of a proposed amendment to a provider agreement at least 60 days prior to the amendment's proposed effective date. If an amendment that has substantial impact on the rights and obligations of providers is made to a manual, policy or procedure document referenced in the provider agreement, such as material changes to fee schedules or material changes to procedural coding rules specified in the manual, policy or procedure document, the carrier shall provide 60 days' notice to the provider. After the 60-day notice period has expired, the amendment to a manual, policy or procedure document becomes effective and binding on both the carrier and the provider subject to any applicable termination provisions in the provider agreement, except that the carrier and provider may mutually agree to waive the 60-day notice requirement. This subsection may not be construed to limit the ability of a carrier and provider to mutually agree to the proposed change at any time after the provider has received notice of the proposed amendment. If the notice required by this subsection is provided by electronic communication, the subject line of the electronic communication must indicate that notice of an amendment to a provider agreement or manual, policy or procedure document is included in the communication and the notice of the amendment must be provided as an attachment to the communication, as a separate document.

Sec. 2. Application. This Act applies to any proposed amendment to a provider agreement or manual, policy or procedure document made by a carrier on or after January 1, 2022.

See title page for effective date.

CHAPTER 312  
H.P. 967 - L.D. 1311

An Act Regarding the State  
Employee Health Commission

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

Sec. 1. 5 MRSA §285, sub-§1-A, ¶D, as enacted by PL 1997, c. 652, §2 and affected by §4 and amended by PL 2007, c. 58, §3, is further amended to read:

D. If terminating employment but not retiring at that time, have 25 years of creditable service under chapter 423, subchapter ~~4~~ 4 and remain a member of the Maine Public Employees Retirement System, make a one-time election to continue coverage from the date of termination until retirement and pay the cost of the coverage plus the cost incurred by the ~~Division Office~~ of State Employee Health Insurance and Wellness in administering coverage under the plan. If a terminated employee who elects coverage under this paragraph fails to pay the cost of coverage and any administrative costs in the amount and manner determined by the ~~division office~~, the coverage may be cancelled in accordance with the requirements of Title 24 and Title 24-A. Regardless of election of coverage or cancellation of coverage under this paragraph, an employee terminating employment as provided in this paragraph may elect coverage upon retirement under paragraph E; or

Sec. 2. 5 MRSA §285-A, sub-§1, as amended by PL 1991, c. 780, Pt. Y, §25, is further amended to read:

1. Establishment. The State Employee Health Commission is established to serve as trustee of the group health plan in this subchapter and to ~~advise~~ provide counsel to the Executive Director of Employee Health Insurance and Wellness and the Director of the Bureau of Human Resources on health and dental insurance issues, the state living resources program and ~~the Director of the Bureau of Human Resources on other issues concerning employee health and wellness and the State Employee Assistance Program.~~

Sec. 3. 5 MRSA §285-A, sub-§2, ¶F, as amended by PL 1995, c. 97, §1, is further amended to read:

F. The Executive Director of Employee Health Insurance and Wellness, ex officio;

Sec. 4. 5 MRSA §286, first ¶, as amended by PL 1991, c. 780, Pt. Y, §26, is further amended to read:

The Commissioner of Administrative and Financial Services has responsibility for the state employee health insurance program through the ~~Division Office~~ of State Employee Health Insurance and Wellness that is established as part of the organization of the Bureau of Human Resources. The ~~division office~~ is headed by the Executive Director of Employee Health Insurance and Wellness. The executive director has responsibility for the daily operation of this program and for the development and maintenance of programs that promote the health and safety of the state employees. Program services must be administered through offices,