

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 electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

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

Augusta, Maine
2023

**CHAPTER 347
H.P. 582 - L.D. 935**

**An Act to Remove Barriers to
Abortion Coverage in Private
Insurance**

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

Sec. 1. 24-A MRSA §4320-M, sub-§2, as enacted by PL 2019, c. 274, §5, is amended to read:

2. Limits; ~~deductible; copayment; coinsurance.~~ A health plan that provides coverage for the services required by this section may contain provisions for maximum benefits and ~~coinsurance and~~ reasonable limitations, ~~deductibles~~ and exclusions to the extent that these provisions are not inconsistent with the requirements of this section.

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

2-A. Cost sharing prohibited. Notwithstanding subsection 2, a health plan with an effective date on or after January 1, 2024 may not impose any deductible, copayment, coinsurance or other cost-sharing requirement for the costs of abortion services. 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. 3. 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, 2024. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

See title page for effective date.

**CHAPTER 348
H.P. 630 - L.D. 995**

**An Act to Enhance Access to a
Second Opinion for Health
Care Services or Treatment**

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

Sec. 1. 24-A MRSA §4303, sub-§25 is enacted to read:

25. Second opinion. An enrollee in a health plan may not be required to obtain a 2nd opinion from a provider that practices in the same office location as the enrollee's provider. Notwithstanding any provision of

this Title to the contrary, if the 2nd opinion is obtained from an out-of-network provider because a network provider is not available in accordance with section 4303, subsection 1 and Bureau of Insurance Rule Chapter 850: Health Plan Accountability, a carrier may not apply a deductible, coinsurance or copayment for the 2nd opinion in an amount greater than the deductible, coinsurance or copayment that would apply to the same health care service if the service were obtained from a network provider, and the amount of any coinsurance or copayment must be applied to the enrollee's in-network deductible.

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, 2024. For purposes of this Act, all policies, contracts and certificates are deemed to be renewed no later than the next yearly anniversary of the contract date.

See title page for effective date.

**CHAPTER 349
H.P. 718 - L.D. 1132**

**An Act Regarding the
Provision of Liquor at Taste-
testing Events Held at an Off-
premises Retail Licensee's
Premises**

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

Sec. 1. 28-A MRSA §460, sub-§2, ¶M-1, as amended by PL 2019, c. 404, §6, is repealed.

Sec. 2. 28-A MRSA §460, sub-§2, ¶M-2 is enacted to read:

M-2. Spirits served at a taste-testing event must be:

- (1) Provided by the agency liquor store;
- (2) Purchased, at the retail price, by a licensed sales representative participating in the taste-testing event from existing stock available for purchase at the agency liquor store; or
- (3) Provided by a licensed sales representative participating in the taste-testing event or a spirits supplier, including those licensed under section 1355-A, participating in the taste-testing event and purchased in the State at the retail price. A record of the transaction under this subparagraph must be maintained and made available to the bureau. After the taste-testing event is concluded, the licensed sales representative or spirits supplier shall remove all products supplied for the taste-testing event from the licensee's premises.