

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
130<sup>TH</sup> LEGISLATURE  
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON HEALTH COVERAGE,  
INSURANCE AND FINANCIAL SERVICES**

December 2021

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**JOINT STANDING COMMITTEE ON HEALTH COVERAGE,  
INSURANCE AND FINANCIAL SERVICES**

The law requires health insurance carriers to provide coverage for an enrollee for HIV prevention drugs that have been determined to be medically necessary by a health care provider. Health insurance carriers are not required to cover all of the drugs approved by the federal Food and Drug Administration for HIV prevention as long as the carrier covers at least one approved drug for each method of administration with no out-of-pocket cost to the enrollee. Carriers are also required to provide coverage with no out-of-pocket cost for laboratory testing related to the ongoing monitoring of an enrollee taking an HIV prevention drug.

The law prohibits a carrier from imposing prior authorization or step therapy requirements on any HIV prevention drug, except that, if the federal Food and Drug Administration has approved one or more methods of administering HIV prevention drugs, a carrier is not required to cover all of the approved drugs without step therapy or prior authorization requirements as long as the carrier covers at least one approved drug for each method of administration without prior authorization or step therapy requirements. If step therapy or prior authorization requirements are met with regard to a particular HIV prevention drug, the carrier is required to cover that drug with no out-of-pocket cost to the enrollee. The requirements with regard to health insurance carriers apply to health plans issued or renewed on or after January 1, 2022.

The law also authorizes a pharmacist to prescribe, dispense and administer HIV prevention drugs pursuant to a standing order or collaborative practice agreement or when there is no prescription drug order from a health care provider, subject to rules and protocols adopted by the board.

**LD 1141 An Act To Amend the Service Contracts Act To Include the Replacement of Motor Vehicle Keys and Key Fobs and Damage to a Motor Vehicle That Results in Lease-end or Other Charges for Excessive Wear and Use**

**ENACTED LAW SUMMARY**

Public Law 2021, chapter 128 amends the laws governing service contracts to include the replacement of motor vehicle keys and key fobs and damage to a motor vehicle that results in lease-end or other charges for excessive wear and use under a motor vehicle lease.

**LD 1150 An Act To Phase Out Insurance Rating Based on Smoking History**

**ENACTED LAW SUMMARY**

Public Law 2021, chapter 344 reduces the maximum rating differential due to tobacco use that may be used by carriers to determine individual and small group health insurance premiums to 1.25 to 1 for plan year 2023 and prohibits rating due to tobacco use in plan year 2024 and thereafter. Under current law, the maximum rate differential due to tobacco use is 1.5 to 1.