

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH 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**

LD 1176 An Act To Improve Fairness in Auto Insurance Claims

ENACTED LAW SUMMARY

Public Law 2021, chapter 283 provides that if an insurer uses the value of a comparable motor vehicle to assess the value of a damaged motor vehicle, the insurer must use the value of a comparable motor vehicle in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island or New York if one is available and the insurer may expand the search to other states only after determining that comparable motor vehicles in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island or New York are not available.

LD 1258 An Act To Implement the Recommendations of the Stakeholder Group Convened by the Emergency Medical Services' Board Related to Reimbursement Rates for Ambulance Services by Health Insurance Carriers and To Improve Participation of Ambulance Service Providers in Carrier Networks

ENACTED LAW SUMMARY

Public Law 2021, chapter 241 implements recommendations related to reimbursement rates and contracting for ambulance services made by a stakeholder group convened by the Emergency Medical Services' Board.

Public Law 2021, chapter 241 requires insurance carriers to reimburse ambulance service providers rendering covered emergency services based on a certain percentage of Medicare reimbursement rates. The law states that ambulance service providers participating in an insurance carrier's network will be reimbursed at the ambulance service provider's rate or 200% of the Medicare rate for that service, whichever is less. For out-of-network providers, the reimbursement rate is 180% of the Medicare rate. The law also permits carriers to add an adjustment to increase reimbursement for providers in rural areas. The laws governing these ambulance service provider reimbursement rates requirements are repealed December 31, 2023.

The law also requires insurance carriers to offer a standard contract to ambulance service providers with certain minimum requirements related to the length of the contract, the ability to terminate the contract and the time period in which ambulance service providers may submit claims for payment.

The law further directs the Emergency Medical Services' Board to adopt rules and protocols to evaluate the need for any new ambulance service in this State before granting a license and repeals the requirement in five years to allow for further evaluation before making the process permanent. The law also directs the Emergency Medical Services' Board to establish by rule a program for collecting and reporting cost and performance metrics related to emergency services, including ambulance services.

Finally, the law requires the Emergency Medical Services' Board to convene a stakeholder group to review issues related to financial health and costs of ambulance service providers and the

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delivery of services by ambulance service providers in this State. The stakeholder group is required to report to the joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters no later than February 1, 2023.

LD 1268 An Act To Provide Greater Access to Treatment for Serious Mental Illness by Restricting Prescription Drug Utilization Management by an Insurance Carrier

ENACTED LAW SUMMARY

Public Law 2021, chapter 345 requires a health insurance carrier to approve a prior authorization request for medication on the carrier's formulary prescribed to assess or treat an enrollee's serious mental illness. The law also requires a carrier to provide an exception to step therapy protocols for prescription drugs selected by the enrollee's health care provider intended to assess or treat the enrollee's serious mental illness.

The requirements of Public Law 2021, chapter 345 apply to health insurance policies issued or renewed on or after January 1, 2022.

LD 1293 An Act To Improve Access to Certain Injectable Medications Approved by the Federal Food and Drug Administration

ENACTED LAW SUMMARY

Public Law 2021, chapter 271 permits pharmacists licensed within the State to administer to adults injections of drugs approved by the United States Food and Drug Administration upon the order of a licensed practitioner or as part of a collaborative practice agreement.

LD 1311 An Act Regarding the State Employee Health Commission

ENACTED LAW SUMMARY

Public Law 2021, chapter 312 changes the name of the Department of Administrative and Financial Services, Division of State Employee Health Insurance to the Office of Employee Health and Wellness and changes the name of the office head from the Executive Director of Health Insurance to the Executive Director of Employee Health and Wellness.

The law also specifies that the duties of the State Employee Health Commission include providing counsel to the Executive Director of Employee Health and Wellness and the Director of the Bureau of Human Resources on dental insurance and the state living resources program.