

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
SECOND REGULAR SESSION



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

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

July 2022

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The law also includes language stating the Legislature’s finding that the changes are not an addition to the State’s essential health benefits that would require the State to defray costs pursuant to the federal Patient Protection and Affordable Care Act.

LD 1390 An Act To Maximize Health Care Coverage for the Uninsured through Easy Enrollment in the MaineCare Program or in a Qualified Health Plan in the Marketplace

ENACTED LAW SUMMARY

Public Law 2021, chapter 715 establishes the easy enrollment program to identify individuals and families who are uninsured but potentially eligible for benefits under the MaineCare program or enrollment in a qualified health plan in the Maine Health Insurance Marketplace through the state income tax filing system. Beginning in tax year 2023, the law requires the Department of Administrative and Financial Services, Bureau of Revenue Services to add check-off boxes to the state income tax form that allow an individual who is filing a state income tax return to identify that the individual or the individual’s spouse or dependents are uninsured and authorize the bureau to share that information with the marketplace. The marketplace must determine eligibility and follow up with the individual filing the tax return. A special enrollment period on the marketplace is available to the uninsured individuals. The marketplace must offer assistance with the enrollment process for a qualified health plan and the Department of Health and Human Services must offer assistance with MaineCare enrollment.

The law requires the marketplace and the Department of Health and Human Services, after consultation with the Superintendent of Insurance, to jointly develop outreach materials and programming to communicate the purpose of the income tax check-off and the potential benefits of enrolling in a qualified health plan through the marketplace or in the MaineCare program. The law also requires the establishment of an advisory group to assist with improving the effectiveness of the program and requires the Department of Health and Human Services to report annually to the Legislature on the easy enrollment program starting in November 2024.

LD 1539 An Act To Provide Access to Fertility Care

ENACTED LAW SUMMARY

Public Law 2021, chapter 692 requires health insurance carriers to provide coverage for fertility diagnostic care, for fertility treatment if the enrollee is a fertility patient and for fertility preservation services. The requirements apply to individual and group health plans issued or renewed on or after January 1, 2024.

The law permits a health plan that provides coverage for the required services to include reasonable limitations subject to certain conditions and in accordance with rules adopted by the Superintendent of Insurance. The law authorizes the Superintendent of Insurance to adopt routine technical rules to implement the provisions of the law including, without limitation, cost-sharing,

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benefit design and clinical guidelines. In adopting rules, the Superintendent must consider the clinical guidelines developed by the American Society for Reproductive Medicine.

The law also requires the Superintendent of Insurance to consult with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to evaluate whether fertility benefits may be part of the essential health benefit package that is required under all health insurance plans in the State and to report the outcome of that consultation to the joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters by December 31, 2022.

LD 1636 An Act To Determine Potential Savings in Prescription Drug Costs by Using International Pricing

ENACTED LAW SUMMARY

Beginning January 1, 2023, Public Law 2021, chapter 606 requires the Maine Health Data Organization to annually report on the 100 most costly prescription drugs and the 100 most frequently prescribed prescription drugs in the State determined based on the payments reported in the organization's claims database for the most current 12-month period and determine the potential savings that could be achieved by subjecting those drugs to a referenced rate. The referenced rate must be calculated as the lowest cost from official publications of certain Canadian provincial government agencies and the wholesale acquisition cost.

LD 1752 An Act To Provide Insurance Coverage for a Beneficiary on a Transfer on Death Deed

ENACTED LAW SUMMARY

Public Law 2021, chapter 497 requires a property insurance insurer to extend coverage for a limited time to a designated beneficiary named on a transfer of death deed when the transferor dies. It provides that the insurer, upon receiving a notice of death affidavit, may cancel the contract as if it had been in effect for less than 90 days as provided in current law and provides that the policy automatically cancels as of the transferor's death if the insurer has not received a notice of death affidavit within 30 days after the transferor's death. The law also limits coverage to the property transferred, requires the beneficiary to comply with the policy conditions, allows the insurer to request proof of the transferee's status as a designated beneficiary and, if there are multiple designated beneficiaries, limits the insurer's liability to what it would have owed the transferor at the time of loss or damage.

Public Law 2021, chapter 497 was enacted as an emergency measure effective March 16, 2022.