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No. 600

S.P. 239

In Senate, March 1, 2021

An Act To Require Insurance Coverage for Certified Midwife Services

Received by the Secretary of the Senate on February 25, 2021. Referred to the Committee on Health Coverage, Insurance and Financial Services pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BRENNER of Cumberland.
Cosponsored by Senator: BREEN of Cumberland, Representatives: GRAMLICH of Old Orchard Beach, LIBBY of Auburn.

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

2 **Sec. 1. 24 MRSA §2332-K**, as amended by PL 2003, c. 517, Pt. B, §8, is further
3 amended to read:

4 **§2332-K. Coverage for services of certified nurse practitioners; certified midwives;**
5 **certified nurse midwives**

6 **1. Required coverage for services upon referral of primary care provider.** A
7 nonprofit hospital or a medical service organization that issues individual and group health
8 care contracts shall provide coverage under those contracts for services performed by a
9 certified nurse practitioner, certified midwife or certified nurse midwife to a patient who is
10 referred to the certified nurse practitioner, certified midwife or certified nurse midwife by
11 a primary care provider when those services are within the lawful scope of practice of the
12 certified nurse practitioner, certified midwife or certified nurse midwife.

13 **2. Required coverage for self-referred services.** With respect to individual and
14 group health care contracts that do not require the selection of a primary care provider, a
15 nonprofit hospital or medical service organization shall provide coverage under those
16 contracts for services performed by a certified nurse practitioner, certified midwife or
17 certified nurse midwife when those services are covered services and when they are within
18 the lawful scope of practice of the certified nurse practitioner, certified midwife or certified
19 nurse midwife.

20 **3. Limits; coinsurance; deductibles.** Any contract that provides coverage for
21 services under this section may contain provisions for maximum benefits and coinsurance
22 and reasonable limitations, deductibles and exclusions to the extent that these provisions
23 are not inconsistent with the requirements of this section.

24 **4. Application.** The requirements of this section apply to all policies, contracts and
25 certificates executed, delivered, issued for delivery, continued or renewed in this State. For
26 purposes of this section, all contracts are deemed to be renewed no later than the next yearly
27 anniversary of the contract date.

28 **Sec. 2. 24-A MRSA §2757**, as reallocated by RR 1999, c. 1, §32, is amended to
29 read:

30 **§2757. Coverage for services of certified nurse practitioners; certified midwives;**
31 **certified nurse midwives**

32 **1. Required coverage for services upon referral of primary care provider.** An
33 insurer that issues individual health insurance policies and contracts shall provide coverage
34 under those contracts for services performed by a certified nurse practitioner, certified
35 midwife or certified nurse midwife to a patient who is referred to the certified nurse
36 practitioner, certified midwife or certified nurse midwife by a primary care provider when
37 those services are within the lawful scope of practice of the certified nurse practitioner,
38 certified midwife or certified nurse midwife.

39 **2. Required coverage for self-referred services.** With respect to individual health
40 insurance policies and contracts that do not require the selection of a primary care provider,
41 an insurer shall provide coverage under those contracts for services performed by a certified
42 nurse practitioner, certified midwife or certified nurse midwife when those services are

1 covered services and when they are within the lawful scope of practice of the certified nurse
2 practitioner, certified midwife or certified nurse midwife.

3 **3. Limits; coinsurance; deductibles.** Any contract that provides coverage for
4 services under this section may contain provisions for maximum benefits and coinsurance
5 and reasonable limitations, deductibles and exclusions to the extent that these provisions
6 are not inconsistent with the requirements of this section.

7 **Sec. 3. 24-A MRSA §2847-H**, as amended by PL 2003, c. 517, Pt. B, §19, is further
8 amended to read:

9 **§2847-H. Coverage for services of certified nurse practitioners; certified midwives;**
10 **certified nurse midwives**

11 **1. Required coverage for services upon referral of primary care provider.** An
12 insurer that issues group health insurance policies and contracts shall provide coverage
13 under those contracts for services performed by a certified nurse practitioner, certified
14 midwife or certified nurse midwife to a patient who is referred to the certified nurse
15 practitioner, certified midwife or certified nurse midwife by a primary care provider when
16 those services are within the lawful scope of practice of the certified nurse practitioner,
17 certified midwife or certified nurse midwife.

18 **2. Required coverage for self-referred services.** With respect to group health
19 insurance policies and contracts that do not require the selection of a primary care provider,
20 an insurer shall provide coverage under those contracts for services performed by a certified
21 nurse practitioner, certified midwife or certified nurse midwife when those services are
22 covered services and when they are within the lawful scope of practice of the certified nurse
23 practitioner, certified midwife or certified nurse midwife.

24 **3. Limits; coinsurance; deductibles.** Any contract that provides coverage for
25 services under this section may contain provisions for maximum benefits and coinsurance
26 and reasonable limitations, deductibles and exclusions to the extent that these provisions
27 are not inconsistent with the requirements of this section.

28 **4. Application.** The requirements of this section apply to all group policies, contracts
29 and certificates executed, delivered, issued for delivery, continued or renewed in this State.
30 For purposes of this section, all contracts are deemed to be renewed no later than the next
31 yearly anniversary of the contract date.

32 **Sec. 4. 24-A MRSA §4248**, as amended by PL 2003, c. 517, Pt. B, §28, is further
33 amended to read:

34 **§4248. Coverage for services of certified nurse practitioners; certified midwives;**
35 **certified nurse midwives**

36 **1. Required coverage for services upon referral of primary care provider.** A
37 health maintenance organization that issues individual and group health care contracts
38 shall provide coverage under those contracts for services performed by a participating
39 certified nurse practitioner, participating certified midwife or participating certified nurse
40 midwife to a patient who is referred to the participating certified nurse practitioner,
41 participating certified midwife or participating certified nurse midwife by a primary care
42 provider when those services are within the lawful scope of practice of the participating

1 certified nurse practitioner, participating certified midwife or participating certified nurse
2 midwife.

3 **2. Required coverage for self-referred services.** With respect to individual and
4 group health care contracts that do not require the selection of a primary care provider, a
5 health maintenance organization shall provide coverage under those contracts for services
6 performed by a participating certified nurse practitioner, participating certified midwife or
7 participating certified nurse midwife when those services are covered services and when
8 they are within the lawful scope of practice of the participating certified nurse practitioner,
9 participating certified midwife or participating certified nurse midwife.

10 **3. Limits; coinsurance; deductibles.** Any contract that provides coverage for
11 services under this section may contain provisions for maximum benefits and coinsurance
12 and reasonable limitations, deductibles and exclusions to the extent that these provisions
13 are not inconsistent with the requirements of this section.

14 **4. Application.** The requirements of this section apply to all individual and group
15 policies, contracts and certificates executed, delivered, issued for delivery, continued or
16 renewed in this State. For purposes of this section, all contracts are deemed to be renewed
17 no later than the next yearly anniversary of the contract date.

18 **Sec. 5. 24-A MRSA §4303, sub-§5,** as amended by PL 2007, c. 199, Pt. B, §10, is
19 further amended to read:

20 **5. Identification of services provided by certified nurse practitioners, certified**
21 **midwives and certified nurse midwives.** All claims for coverage of services provided by
22 certified nurse practitioners, certified midwives and certified nurse midwives must identify
23 the certified nurse practitioners, certified midwives and certified nurse midwives who
24 provided those services. A carrier offering or renewing a health plan in this State shall
25 assign identification numbers or codes to certified nurse practitioners, certified midwives
26 and certified nurse midwives who provide covered services for enrollees covered under
27 that plan. A claim submitted for payment to a carrier by a health care provider or facility
28 must include the identification number or code of the certified nurse practitioner, certified
29 midwife or certified nurse midwife who provided the service and may not be submitted
30 using the identification number or code of a physician or other health care provider who
31 did not provide the covered service.

32 **Sec. 6. Application.** The requirements of this Act apply to all policies, contracts
33 and certificates executed, delivered, issued for delivery, continued or renewed in this State
34 on or after October 1, 2021. For purposes of this Act, all contracts are deemed to be
35 renewed no later than the next yearly anniversary of the contract date.

36 SUMMARY

37 This bill requires insurance coverage for services performed by certified midwives.