

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-THREE

—
S.P. 280 - L.D. 722

**An Act to Expedite the Health Insurance Referral Process for Specialists by
Allowing Referrals During Urgent Care Visits**

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

Sec. 1. 24-A MRSA §4301-A, sub-§2-A is enacted to read:

2-A. Behavioral health care service. "Behavioral health care service" means a health care service or treatment to address mental health and substance use conditions.

Sec. 2. 24-A MRSA §4301-A, sub-§21 is enacted to read:

21. Urgent care. "Urgent care" means health care or treatment provided in response to exigent circumstances.

Sec. 3. 24-A MRSA §4303, sub-§22-A is enacted to read:

22-A. Denial of referral during urgent care visit prohibited. A carrier may not deny payment for any behavioral health care service or physical therapy service covered under an enrollee's health plan based solely on the basis that the enrollee's referral was not made by the enrollee's primary care provider as long as the enrollee's referral is made by a provider during an urgent care visit and the provider notifies the enrollee's primary care provider of the referral. A carrier may not apply a deductible, coinsurance or copayment greater than the applicable deductible, coinsurance or copayment that would apply to the same health care service if the service was referred by the enrollee's primary care provider. A carrier may require a provider of urgent care that is making a referral to provide additional information necessary to implement this subsection.

Sec. 4. 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.