

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 145 - L.D. 224

**An Act to Strengthen Maine's Health Care Workforce by Preventing
Discrimination by Requiring Maintenance of Certification for Insurance
Reimbursement**

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

Sec. 1. 24-A MRSA §4303-G is enacted to read:

§4303-G. Provider maintenance of certification requirements

The following provisions govern maintenance of certification requirements.

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Hospital" means a hospital licensed and operating under Title 22, chapter 404 or 405 or the parent of such institution, or a hospital subsidiary or hospital affiliate in this State that provides medical services or medically related diagnostic and laboratory services or engages in ancillary activities supporting those services.

B. "Maintenance of certification program" means satisfactory participation in a program beyond the continuing medical education requirements currently in place by the Board of Licensure in Medicine or Board of Osteopathic Licensure, or initial board certification by a national or regional medical specialty board.

C. "Outpatient clinical practice" means any medical practice, home care or hospice organization or other nonhospital entity providing medical care through physicians.

D. "Physician" means an individual licensed under Title 32, chapter 36 or 48.

2. Discrimination prohibited. A carrier offering a health plan in this State may not:

A. Deny reimbursement to a physician, hospital or outpatient clinical practice for services rendered because a physician does not participate in a maintenance of certification program;

B. Provide lower reimbursement for services rendered by a physician, hospital or outpatient clinical practice because a physician does not participate in a maintenance of certification program;

C. Prohibit a physician, hospital or outpatient clinical practice from participating in any of the carrier's provider networks because a physician does not participate in a maintenance of certification program; or

D. Determine credentialing of a physician, hospital or outpatient clinical practice based on the status of a physician's, hospital's or outpatient clinical practice's participation in a maintenance of certification program.

3. Repeal. This section is repealed April 1, 2029.

Sec. 2. Application. The requirements of this Act apply to a carrier as defined in the Maine Revised Statutes, Title 24-A, section 4301-A that executes, delivers, issues for delivery, continues or renews an individual or group policy, contract or certificate in this State on or after January 1, 2024.