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An Act To Require Health Insurers To Provide Coverage for Human Leukocyte Antigen Testing To Establish Bone Marrow Donor Transplantation Suitability

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

Sec. 1. 24 MRSA §2317-B, sub-§12-I is enacted to read:

12-I. Title 24-A, sections 2769, 2847-U and 4260. Coverage for the cost of testing for bone marrow donation suitability, Title 24-A, sections 2769, 2847-U and 4260;

Sec. 2. 24-A MRSA §2769 is enacted to read:

§ 2769. Coverage for the cost of testing for bone marrow donation suitability

1. Required coverage. All individual health insurance policies and contracts must provide coverage for laboratory fees up to \$150 arising from human leukocyte antigen testing performed to establish bone marrow transplantation suitability in accordance with the following requirements:

A. The individual covered under the policy or contract must meet the criteria for testing established by the National Marrow Donor Program, or its successor organization;

B. The testing must be performed in a facility that is accredited by a national accrediting body with requirements that are substantially equivalent to or more stringent than those of the College of American Pathologists and is certified under the federal Clinical Laboratories Improvement Act of 1967, 42 United States Code, Section 263a; and

C. At the time of the testing, the individual covered under the policy or contract must complete and sign an informed consent form that authorizes the results of the test to be used for participation in the National Marrow Donor Program, or its successor organization, and acknowledges a willingness to be a bone marrow donor if a suitable match is found.

2. Prohibition. A testing facility may not bill, charge, collect a deposit from, seek payment or reimbursement from or seek recourse against an individual covered under the policy or contract or a person acting on behalf of the individual for any portion of the laboratory fees.

Sec. 3. 24-A MRSA §2847-U is enacted to read:

§ 2847-U. Coverage for the cost of testing for bone marrow donation suitability

1. Required coverage. All group health insurance policies, contracts and certificates must provide coverage for laboratory fees up to \$150 arising from human leukocyte antigen testing performed to establish bone marrow transplantation suitability in accordance with the following requirements:

A. The individual covered under the policy, contract or certificate must meet the criteria for testing established by the National Marrow Donor Program, or its successor organization;

B. The testing must be performed in a facility that is accredited by a national accrediting body with requirements that are substantially equivalent to or more stringent than those of the College of American Pathologists and is certified under the federal Clinical Laboratories Improvement Act of 1967, 42 United States Code, Section 263a; and

C. At the time of the testing, the individual covered under the policy, contract or certificate must complete and sign an informed consent form that authorizes the results of the test to be used for participation in the National Marrow Donor Program, or its successor organization, and acknowledges a willingness to be a bone marrow donor if a suitable match is found.

2. Prohibition. A testing facility may not bill, charge, collect a deposit from, seek payment or reimbursement from or seek recourse against an individual covered under the policy, contract or certificate or a person acting on behalf of the individual for any portion of the laboratory fees.

Sec. 4. 24-A MRSA §4260 is enacted to read:

§ 4260. Coverage for the cost of testing for bone marrow donation suitability

1. Required coverage. All individual and group health maintenance organization contracts must provide coverage for laboratory fees up to \$150 arising from human leukocyte antigen testing performed to establish bone marrow transplantation suitability in accordance with the following requirements:

A. The individual covered under the contract must meet the criteria for testing established by the National Marrow Donor Program, or its successor organization;

B. The testing must be performed in a facility that is accredited by a national accrediting body with requirements that are substantially equivalent to or more stringent than those of the College of American Pathologists and is certified under the federal Clinical Laboratories Improvement Act of 1967, 42 United States Code, Section 263a; and

C. At the time of the testing, the individual covered under the contract must complete and sign an informed consent form that authorizes the results of the test to be used for participation in the National Marrow Donor Program, or its successor organization, and acknowledges a willingness to be a bone marrow donor if a suitable match is found.

2. Prohibition. A testing facility may not bill, charge, collect a deposit from, seek payment or reimbursement from or seek recourse against an individual covered under the contract or a person acting on behalf of the individual for any portion of the laboratory fees.

Sec. 5. Exemption from review. Notwithstanding the Maine Revised Statutes, Title 24-A, section 2752, this Act is enacted without review and evaluation by the Department of Professional and Financial Regulation, Bureau of Insurance.

Sec. 6. Application. The requirements of this Act apply to all policies, contracts and certificates subject to this Act that are executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2015. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

SUMMARY

This bill requires health insurance coverage for laboratory fees up to \$150 arising from human leukocyte antigen testing performed to establish bone marrow transplantation suitability.