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An Act To Amend the Law Prohibiting the Denial by Health Insurers of Referrals by Out-of-network Providers

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

Sec. 1. 24-A MRSA §4303, sub-§22, as enacted by PL 2017, c. 232, §7, is amended to read:

22. Denial of referral by out-of-network provider prohibited. Beginning January 1, 2018, a carrier may not deny payment for any health care service covered under an enrollee's health plan based solely on the basis that the enrollee's referral was made by a direct primary care provider who is not a member of the carrier's provider network. A carrier may require a direct primary care provider making a referral who is not a member of the carrier's provider network to meet appropriate credentialing standards consistent with other primary care providers participating in the carrier's provider network. As used in this subsection, "direct primary care provider" has the same meaning as in Title 22, section 1771, subsection 1, paragraph B.

SUMMARY

This bill provides that the law that prohibits carriers from denying payment for covered health care services solely on the basis that the referral for services was made by an out-of-network provider applies only to referrals made by out-of-network direct primary care providers. It also allows a carrier to require a direct primary care provider who is not a member of the carrier's provider network and who makes a referral to meet appropriate credentialing standards consistent with other primary care providers participating in the carrier's provider network.