



# 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

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Legislative Document

No. 955

S.P. 411

In Senate, March 11, 2025

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### **An Act to Ensure Human Oversight in Medical Insurance Payment Decisions**

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Received by the Secretary of the Senate on March 6, 2025. 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", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator MARTIN of Oxford.  
Cosponsored by Representative ZAGER of Portland and  
Senators: BENNETT of Oxford, CYRWAY of Kennebec, HARRINGTON of York, TIPPING  
of Penobscot, Representatives: Speaker FECTEAU of Biddeford, MORRIS of Turner,  
SOBOLESKI of Phillips.

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

**Sec. 1. 24-A MRSA §2436, sub-§2-D is enacted to read:**

**2-D.** For a claim submitted by a health care provider or health care facility with respect to a carrier as defined in section 4301-A, subsection 3 on or after January 1, 2026, a carrier may not deny a claim based solely on the use of artificial intelligence. For the purposes of this subsection, "artificial intelligence" means a computerized system capable of making decisions or recommendations based on algorithms and data analysis.

**Sec. 2. 24-A MRSA §4304, sub-§8 is enacted to read:**

**8. Use of artificial intelligence.** Beginning January 1, 2026, a carrier may not make medical review or utilization review determinations relating to the approval, denial or adjustment of coverage for services under a health plan based solely on the use of artificial intelligence. Before a carrier denies benefits or reduces payment for services using artificial intelligence, the carrier shall conduct a utilization review done by a physician who is licensed in this State, including a review of the medical necessity of the services, the professional judgment of the enrollee's provider and the impact of any denial of benefits or reduction in payment on the enrollee's health outcomes. An enrollee or provider has the right to appeal any determination under this subsection in accordance with section 4303, subsection 4. For the purposes of this subsection, "artificial intelligence" means a computerized system capable of making decisions or recommendations based on algorithms and data analysis.

**Sec. 3. 24-A MRSA §4304, sub-§9** is enacted to read:

**9. Rulemaking.** The bureau shall adopt rules to implement the provisions of subsection 8 related to the use of artificial intelligence by a carrier. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 4. 24-A MRSA §4304, sub-§10 is enacted to read:**

**10. Reporting on use of artificial intelligence.** Beginning April 15, 2026 and quarterly thereafter, a carrier shall report to the bureau on the number of denials of coverage under subsection 8, the outcome of the review conducted by a licensed physician in accordance with subsection 8 and the number of appeals of a determination under subsection 8 and the outcome of those appeals. Beginning February 1, 2027 and annually thereafter, the bureau shall submit a report summarizing the quarterly reports from carriers to the joint standing committee of the Legislature having jurisdiction over health insurance matters.

**Sec. 5. Use of artificial intelligence by health insurance carriers; rulemaking.** No later than November 1, 2025, the Department of Professional and Financial Regulation, Bureau of Insurance shall adopt rules relating to the use of artificial intelligence as required by the Maine Revised Statutes, Title 24-A, section 4304, subsection 9.

## SUMMARY

This bill prohibits, beginning January 1, 2026, health insurance carriers from denying coverage or claims for services under a health plan solely based on the use of artificial

1 intelligence. The bill requires that, before a carrier denies benefits or reduces payment for  
2 services using artificial intelligence, a carrier must conduct a utilization review done by a  
3 physician who is licensed in this State that includes a review of the medical necessity of  
4 the services, the professional judgment of the enrollee's provider and the impact of any  
5 denial of benefits or reduction in payment on the enrollee's health outcomes. The bill  
6 requires carriers and the Department of Professional and Financial Regulation, Bureau of  
7 Insurance to report on a quarterly and annual basis, respectively, on the use of artificial  
8 intelligence. The bill also requires the bureau to adopt rules related to the use of artificial  
9 intelligence by carriers no later than November 1, 2025.