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Date:

(Filing No. S-)

HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

131ST LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT “ ” to S.P. 199, L.D. 444, “An Act to Designate First Responders and Other Public Safety Professionals as a Special Risk Population for the Purposes of Improving Insurance Coverage for the Effects of Trauma”

Amend the bill by striking out the title and substituting the following:

'An Act to Require Health Insurance Coverage for Specialized Risk Screening for First Responders and Other Public Safety Professionals'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 24-A MRSA §4317-F is enacted to read:

§4317-F. Coverage of specialized risk screening associated with health of first responders

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

A. "First responder" means an employee or occasional employee or volunteer that is a member of a state, county or municipal government entity that provides or has the authority to provide fire, emergency medical, emergency communications, correctional or police services.

B. "Specialized risk screening" means any of the following standard, medically accepted tests:

(1) Tests for evidence of any cancer with a known employment-related risk of exposure for a first responder;

(2) Blood tests, including tests conducted for a complete blood count, comprehensive metabolic panel, renal panel and hepatic panel;

(3) Mammography, colonoscopy or prostate examinations regardless of the age of the person who is the subject of the examination;

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1 (4) Tests of any measure of serum activity of lipoprotein-associated phospholipase
2 enzyme A2, oxidized low-density lipoprotein or additional indicators of
3 endovascular inflammation; or

4 (5) Tests to measure vitamin deficiencies, nutritional deficits and mineral levels.

5 **2. Eligible enrollee.** An enrollee is eligible for coverage under this section if the
6 enrollee meets the following conditions:

7 A. The enrollee is a first responder;

8 B. As determined by the enrollee's provider, the enrollee's receipt of specialized risk
9 screening has meaningful potential for preventive clinical benefit to the enrollee; and

10 C. The enrollee's provider has determined that specialized risk screening is medically
11 appropriate based upon the satisfaction of the conditions in paragraphs A and B.

12 **3. Coverage for specialized risk screening.** A carrier offering a health plan in this
13 State may not deny coverage to an enrollee for specialized risk screening recommended by
14 a provider pursuant to subsection 2.

15 **4. Limits on prior authorization; first responder health and wellness providers.**
16 Notwithstanding any requirements in section 4320-A to the contrary, a carrier may not
17 subject any specialized risk screening to any prior authorization requirement except that:

18 A. A carrier may request verification of an enrollee's status as a first responder; and

19 B. A carrier may request prior authorization if the specialized risk screening will be
20 conducted by a recognized first responder health or wellness provider or a laboratory
21 not affiliated with the enrollee's provider.

22 **5. Cost sharing prohibited.** A health plan may not impose any deductible, copayment,
23 coinsurance or other cost-sharing requirement for the costs of specialized risk screening.
24 This subsection does not apply to a health plan offered for use with a health savings account
25 unless the federal Internal Revenue Service determines that the requirements in this
26 subsection are permissible in a high deductible health plan as defined in the federal Internal
27 Revenue Code, Section 223(c)(2).

28 **Sec. 2. Application.** The requirements of this Act apply to all policies, contracts and
29 certificates executed, delivered, issued for delivery, continued or renewed in this State on
30 or after January 1, 2025. For purposes of this Act, all contracts are deemed to be renewed
31 no later than the next yearly anniversary of the contract date.'

32 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
33 number to read consecutively.

34 **SUMMARY**

35 This amendment replaces the bill, which is a concept draft, and changes the title. For
36 policies issued or renewed on or after January 1, 2025, the amendment prohibits a health
37 insurance carrier from denying coverage to an enrollee who is a first responder for
38 specialized risk screening recommended by a health care provider. It limits the ability of a
39 health insurance carrier to require prior authorization for specialized risk screening. It also
40 prohibits a carrier from imposing any out-of-pocket costs for specialized risk screening

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1 except for high deductible health plans offered for use in connection with a health savings
2 account to the extent required under federal regulations.

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FISCAL NOTE REQUIRED

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(See attached)