

## STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

H.P. 215 - L.D. 291

**An Act Regarding Responsibility for the Duplicative or Incorrect Payment of Health Insurance Claims****Be it enacted by the People of the State of Maine as follows:****Sec. 1. 24-A MRSA §4303, sub-§23** is enacted to read:

**23. Duplicative or incorrect claims payments.** If a carrier has made a duplicative or incorrect payment on a claim with respect to a health plan:

A. If the claim payment was made to a provider, the carrier shall retroactively seek collection related to that payment directly from the provider; and

B. The carrier may not attempt to retroactively seek collection related to the claim payment from an enrollee unless the enrollee was already paid directly for the services identified in the claim and a provider submits evidence to the carrier that the enrollee did not forward payment to the provider. After a provider has submitted evidence that the enrollee did not forward payment to the provider, a carrier may require an enrollee to provide evidence of payment to the provider.