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HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
SENATE
126TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 633, L.D. 1642, Bill, “An Act To Clarify the Law Governing Public Disclosure of Health Care Prices”

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

Sec. 1. 22 MRSA §1718-A, as enacted by PL 2013, c. 332, §1 and affected by §3, is repealed.

Sec. 2. 22 MRSA §1718-B is enacted to read:

§1718-B. Consumer information regarding health care entity prices

This section applies to the disclosure of health care prices by a health care entity.

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

A. "Frequently provided health care services and procedures" means those health care services and procedures that were provided by the health care entity at least 50 times in the preceding calendar year.

B. "Health care entity" means a health care practitioner, as defined in section 1711-C, subsection 1, paragraph F; a group of health care practitioners; or a health care facility, as defined in section 1711-C, subsection 1, paragraph D, that charges patients for health care services and procedures. A health care entity does not include a pharmacy or a pharmacist.

2. Requirements. The following requirements apply to health care entities.

A. A health care entity shall have available to patients the prices of the health care entity's most frequently provided health care services and procedures. The prices stated must be the prices that the health care entity charges patients directly when there is no insurance coverage for the services or procedures or when reimbursement by an insurance company is denied. The prices stated must be accompanied by

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1 descriptions of the services and procedures and the applicable standard medical codes
2 or current procedural technology codes used by the American Medical Association.

3 B. A health care entity shall inform patients about the availability of prices for the
4 most frequently provided health care services and procedures.

5 C. A health care entity shall prominently display in a location that is readily
6 accessible to patients information on the price transparency tools available from the
7 publicly accessible website of the Maine Health Data Organization established
8 pursuant to chapter 1683 to assist consumers with obtaining estimates of costs
9 associated with health care services and procedures.'

10

SUMMARY

11 This amendment, which is the minority report of the committee, replaces the bill. It
12 retains the substance of the bill and adds the following.

13 1. It requires health care entities to maintain prices rather than price lists to reflect
14 that prices are typically retained in databases.

15 2. It requires health care entities to display a notice informing patients of their ability
16 to obtain estimates of costs from the Maine Health Data Organization.