LAW WITHOUT
GOVERNOR'S
SIGNATURE

CHAPTER

535

APRIL 9, 2014

PUBLIC LAW

STATE OF MAINE

_____

IN THE YEAR OF OUR LORD

TWO THOUSAND AND FOURTEEN

_____

H.P. 1199 - L.D. 1676

An Act To Strengthen Disclosure about Provider Networks in Health Insurance Plans to Consumers and Providers

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

Sec. 1. 24-A MRSA §4303, sub-§19 is enacted to read:

19. Information about provider networks. A carrier offering a managed care plan shall prominently disclose to applicants, prospective enrollees and enrollees information about the carrier's provider network for the applicable managed care plan, including whether there are hospitals, health care facilities, physicians or other providers not included in the plan's network and any differences in an enrollee's financial responsibilities for payment of covered services to a participating provider and to a provider not included in a provider network. The superintendent may adopt rules that set forth the manner, content and required disclosure of the information in accordance with this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 24-A MRSA §4303-B is enacted to read:

§4303-B. Disclosure related to provider networks

1. Disclosure. Upon request, a carrier shall provide to a provider to which the carrier has decided not to offer the opportunity to participate or that the carrier has decided not to include as a participating provider in any of the carrier's provider networks a written explanation of the reason for the carrier's decision. The written explanation provided by the carrier must indicate whether the reason for not offering the provider the opportunity to contract or for not including the provider in any network was related to the provider's performance with respect to quality, cost or cost-efficiency.

2. No right of action. A provider has no right of action as the result of a disclosure made in accordance with this section.