



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 704

H.P. 480

House of Representatives, March 5, 2015

An Act Regarding Notice Provided by Insurance Carriers to Health Care Providers

Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BECK of Waterville.
Cosponsored by Senator GRATWICK of Penobscot.

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

2 **Sec. 1. 24-A MRSA §4320-J** is enacted to read:

3 **§4320-J. Notice of grace period**

4 If an enrollee is covered by an insurance product purchased through the American
5 Health Benefit Exchange pursuant to the federal Affordable Care Act and is in the 3-
6 month grace period under 45 Code of Federal Regulations, Section 156.270(d)(2015) and
7 a provider, or a representative of a provider, requests information from a carrier regarding
8 the enrollee's eligibility, coverage or health plan benefits or the status of a claim or claims
9 for services provided to the enrollee and the information requested is regarding the
10 enrollee's eligibility, coverage or health plan benefits or a claim for services provided on
11 a date within the 2nd or 3rd month of the 3-month grace period, the carrier shall inform
12 the provider that the enrollee is in the 3-month grace period.

13 **1. Information provided.** The carrier shall provide the information required under
14 this section through the same medium through which the provider or representative of the
15 provider sought the information. The information to be provided by the carrier must
16 include:

17 A. The purpose of the notice;

18 B. The enrollee's name and any unique identification numbers;

19 C. The name of the carrier and the carrier's unique health plan identifier;

20 D. The specific date upon which the grace period for the enrollee began and the
21 specific date it expires; and

22 E. A clear statement regarding whether the carrier intends to exercise its right under
23 the federal Affordable Care Act to pend claims for the enrollee and subsequently not
24 pay claims for care provided to the enrollee during the grace period if the enrollee
25 fails to make premium payments or whether the carrier intends on recouping claims
26 payments for services rendered during the grace period.

27 **2. Failure to provide information.** If a carrier does not provide information
28 required by this section, the carrier must pay for all claims for services provided by a
29 provider to the relevant enrollee during the time the enrollee was in the grace period.

30 **3. Waiver.** The notice required by this section may not be waived by contract, and
31 contract provisions in conflict with this section are void and of no effect.

32 **4. Effective date.** This section takes effect January 1, 2016.

33 **SUMMARY**

34 This bill requires insurance carriers, beginning January 1, 2016, to give health care
35 providers notice that an enrollee covered by an insurance product purchased through the
36 American Health Benefit Exchange is in the 3-month grace period under 45 Code of
37 Federal Regulations, Section 156.270(d)(2015).