



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1105

H.P. 701

House of Representatives, March 9, 2023

**An Act to Ensure Lower Costs and Consumer Protections for
Patients by Prohibiting Certain Billing Practices**

Reference to the Committee on Health Coverage, 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 MORRIS of Turner.
Cosponsored by Senator BRAKEY of Androscoggin and
Representatives: ARATA of New Gloucester, NESS of Fryeburg, SWALLOW of Houlton.

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

2 **Sec. 1. 24 MRSA §2985-A** is enacted to read:

3 **§2985-A. Billing practices; disclosure of cash price**

4 **1. Discrimination on basis of method of payment prohibited.** A health care
5 provider or a health care practitioner may not deny health care services or treatment or
6 refuse to continue to provide health care services or treatment based on the manner in which
7 the patient intends to pay for that health care service or treatment.

8 **2. Disclosure of cash price.** A health care provider or health care practitioner shall
9 disclose the cash price for health care services or treatments and allow a patient to pay the
10 cash price for any services when the patient's cash price is less than the patient's cost sharing
11 under the patient's health insurance in lieu of filing a claim with the patient's health
12 insurance carrier. For the purposes of this subsection, "cash price" is the charge that applies
13 to a patient who is paying for a service without filing any insurance claim.

14 **Sec. 2. 24-A MRSA §4303, sub-§25** is enacted to read:

15 **25. Disclosure to enrollees of cash price.** A carrier may not prohibit a provider from
16 providing an enrollee with the option of paying the provider's cash price for health care
17 services and not filing a claim with the enrollee's carrier if the cash price is less than the
18 enrollee's cost-sharing amount. For the purposes of this subsection, "cash price" is the
19 charge that applies to an individual who is paying for a service without filing any insurance
20 claim.

21 **SUMMARY**

22 This bill prohibits health care providers and health care practitioners from denying
23 health care services or treatment based on the manner in which a patient intends to pay for
24 health care services or treatment. The bill also requires health care providers and health
25 care practitioners to disclose the cash price of health care services or treatments and allow
26 a patient to pay cash instead of filing an insurance claim.

27 The bill also prohibits a health insurance carrier from prohibiting a provider from
28 providing an enrollee with the option of paying the provider's cash price for health care
29 services and disclosing to an enrollee if the cash price is less than the enrollee's cost-sharing
30 amount.