



STATE OF MAINE
DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION
BUREAU OF INSURANCE



Janet T. Mills
Governor

Robert L. Carey
Superintendent

Joan F. Cohen
Commissioner

April 8, 2025

Senator Donna Bailey, Senate Chair
Representative Kristi Mathieson, House Chair
Joint Standing Committee on Health Coverage, Insurance and Financial Services
100 State House Station
Augusta, ME 04333-0100

Re: LD 1152, An Act to Expand the Right to Shop for Health Care Services

Dear Senator Bailey, Representative Mathieson, and Members of the Committee:

The Bureau of Insurance takes no position on LD 1152. The purpose of this letter is to provide the Committee members with background information.

This bill proposes to expand the comparable health care service incentive programs in the Health Care Improvement Act (24-A M.R.S. §§4318-A and 4318-B).

The current law (24-A M.R.S. § 4318-A) requires all HSA-compatible small group health plans¹ to include incentives for enrollees to shop for low-cost, high-quality-participating providers. Incentives may include cash payments, gift cards/credits, or reductions of premiums, copayments, and/or deductibles. Carriers must provide enrollees with a detailed description of the plan's incentives, and this description must be reviewed by the BOI as part of the form filing. The statute lists four categories of eligible services: physical and occupational therapy, radiology and imaging services, laboratory services, and infusion therapy services.

In October 2024, the BOI submitted information to the HCIFS Committee on the performance of the program in "2023 Report on Small Group HSA Plans' Incentives for Consumers to Comparison-shop for Certain Health Care Procedures." The report shared aggregate information collected from the carriers, showing that:

- Carriers gave cash payments or gift cards to enrollees.
- Most enrollees did not take advantage of the incentives.

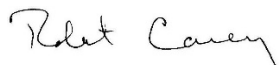
¹ The bill summary erroneously describes this as a requirement for all plans providing these incentives to be compatible with a federal health savings account. Existing law does not prohibit these incentives in other small group plans; it makes them optional.

- It is unknown whether the enrollees disregarded the incentives, did not understand them, did not know about them, or did not understand how to claim them.

LD 1085 from the 131st Legislature was virtually identical to this bill. The committee voted that bill out Ought Not To Pass with a divided report and the bill was amended in the Senate to just remove the sunset provision.

Please feel free to contact the Bureau with any questions.

Sincerely,



Robert L. Carey
Superintendent



Printed on Recycled Paper
Offices Located as 76 Northern Avenue, Gardiner, Maine 04345
www.maine.gov/insurance