

Janet T. Mills
Governor

Sara Gagné-Holmes
Commissioner



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April 17, 2025

Senator Ingwersen, Chair
Representative Meyer, Chair
Members, Joint Standing Committee on Health and Human Services
100 State House Station
Augusta, ME 04333-0100

Re: LD 1418 – *An Act to Protect Access to Reproductive Health Care, Including Fertility Treatments and Contraceptives*

Senator Ingwersen, Representative Meyer and members of the Joint Standing Committee on Health and Human Services, thank you for the opportunity to provide information in support of LD 1418, *An Act to Protect Access to Reproductive Health Care, Including Fertility Treatments and Contraceptives*.

This bill prohibits the Commissioner of the Department of Health and Human Services (the “Department”) from adopting rules that place a ban or restriction on access to reproductive health care. The Department supports retaining broad access to reproductive health services as a matter of public health and individual rights and appreciates the intent of this bill to ensure continued access to medically necessary care and treatment for the people of Maine.

The Department strongly supports Maine’s current law and public policy, as reflected in Governor Janet Mill’s Executive Order 4 FY 21/22: *An Order Protecting Access to Reproductive Health Care Services in Maine*, to protect an individual’s choices in reproductive health care. Currently, Maine ensures health coverage for reproductive health care by requiring public and private health insurers to cover family planning services, abortion services, and pregnancy-related services in accordance with applicable law.

Practically speaking, this bill codifies the existing coverage of reproductive health care services to MaineCare members as well as other individuals receiving reproductive health services through various Departmental programs. MaineCare currently reimburses for a wide range of reproductive health services with no cost-sharing to all members with full MaineCare coverage or Limited Family Planning Benefit. Abortions not eligible for federal funds (those that do not qualify under Hyde Act exceptions) are provided under the MaineCare program using state-only funds. Fertility treatment is not currently covered by MaineCare.

Dorothea Dix Psychiatric Center and Riverview Psychiatric Center provide general reproductive healthcare and contraceptives on a case-by-case basis; community consultations are made for complex cases requiring specialist care. While fertility treatment is not offered by these facilities, interested patients are connected via follow up referral and appointment in the community at time of discharge. In addition, Maine CDC’s Maternal and Child Health Program oversees a contract with the Family Planning Association of Maine which provides access to clinical reproductive healthcare statewide.

The Department would like to note that it is possible that strict interpretation of the language as drafted could provide a disincentive for the introduction of new coverage of reproductive health care services, if a rule to provide this expanded coverage were also to include limits around the application of or eligibility for this coverage, as one could regard anything less than full coverage for all to qualify as a “restriction on access to reproductive health care....” The Department strongly supports what it believes is the intent of LD 1418 and would recommend an amendment to qualify that the prohibition be on a ban or restriction on *existing* access to reproductive health care.

Access to the full spectrum of reproductive health care is integral to a person’s physical, mental, and economic well-being. Every person in Maine has the right to make their own personal medical decisions and to access sexual and reproductive health care when and where they need it. It is critical that everyone in Maine has access to affordable, high-quality health care, including reproductive services.

Please feel free to contact me if you have any questions during your deliberation of this bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle Probert", with a stylized flourish at the end.

Michelle Probert
Director
Office of MaineCare Services
Maine Department of Health and Human Services