

MaineHealth

Testimony of Katie Fullam Harris

MaineHealth

In Support of LD 1498, “An Act to Create an Advocacy and Complaint Process for Health Care Providers within the Bureau of Insurance”

April 24, 2023

Senator Bailey, Representative Perry and Members of the Joint Standing Committee on Insurance and Financial Services, I am Katie Fullam Harris of MaineHealth, and I am here to testify in support of LD 1498.

Ten years ago, it is doubtful that we would have seen the need to create a role for government in overseeing disputes between insurers and providers. We were generally comfortable that private contractual negotiations led to fair outcomes that generally provided the support we needed to meet our vision of “Working Together so Our Communities are the Healthiest in America.”

I am sorry to say that the landscape has changed, and we now believe that the Bureau of Insurance could be helpful in serving as a neutral arbiter of disputes between providers and payers. Absent such a third-party process, providers have only a single action they can take with carriers to resolve a major dispute: termination of their contract.

As we all learned last summer, contract termination is extremely disruptive and should be used only as an action of last resort. Yet there is not currently a neutral arbiter of disputes that, when unresolved, can add up to lead to the larger action such as that which we took when we provided notice of a contract termination last summer. During the course of our dispute, we had several meetings with the Bureau of Insurance, and it was clear that they had very little jurisdiction over the matter. This bill would provide protection for Maine’s communities by ensuring that the State has a clear role in helping to resolve matters that impact providers of care, and thus, potentially, access to the services they provide.

As we all feel increased pressure to meet our respective goals – access to high quality care across our state for health systems, delivery of excellent care to patients by individual providers, and affordable health insurance for carriers – it seems prudent to ensure that there is an arbiter of the inevitable disputes that will continue to arise as we seek to meet the differing expectations of our stakeholders. This bill would provide such a process, and it would likely prevent greater disruption to access and care delivery in Maine.

There will be a fiscal note to enact this legislation, and it is one that we feel is worthy of consideration.

Thank you to the sponsor for bringing this bill forward, and I would be happy to answer any questions.