



# HOUSE OF REPRESENTATIVES

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*Testimony of Rep. Poppy Arford presenting*

**LD 1740, An Act to Support an Insured Patient's Access to Affordable Health Care with Timely Access to Health Care Prices**

*Before the Joint Standing Committee on Health Coverage, Insurance and Financial Services*

Senator Bailey, Representative Perry and respected colleagues of the Health Coverage, Insurance and Financial Services Committee, I am Poppy Arford, Representative of District 101 in Brunswick. Thank you for the opportunity to present **LD 1740, An Act to Support an Insured Patient's Access to Affordable Health Care with Timely Access to Health Care Prices**.

The federal No Surprises Act passed in 2021 under the umbrella of the Consolidated Appropriations Act with the goal of protecting health care consumers from unexpected medical bills and promoting price transparency in health care. Once fully implemented, prior to services being rendered, it will require that a good faith estimate from providers to patients, and an advanced explanation of benefits from commercial insurers to covered individuals, be offered for all scheduled services. The rules determining how this will be done are currently being developed by CMS.

In anticipation of the federal rules being finalized, I have been working with a group of stakeholders, including representatives of health care consumers, purchasers, payers, and providers, as well as the Bureau of Insurance, to bring LD 1740 forward for your consideration. LD 1740 acts to codify the good faith estimate and advanced explanation of benefits elements of the No Surprises Act in Maine statute, and to empower our state government to augment as well as enforce the law to meet the needs of Maine people.

Unfortunately, development and publication of the federal rules has been delayed, and we now expect that they will be finalized later this summer or fall. As a result, LD 1740 would be more appropriately considered during the Second Regular Session of the 131<sup>st</sup> Legislature, when we have the implementation rules to consider and a more complete picture of how the law will impact Maine people and the health care stakeholders. A good analogy is found in the following: Moving forward with hearing LD 1740 now would be like trying to bake a cake from a recipe that lists the ingredients but includes no instructions!

Carrying LD 1470 over will also allow the stakeholder group to continue meeting. Once the rules are released, we will collaborate on how best to implement them for Maine people. We will be able to speak, at a post rule release Public Hearing, from a better prepared and informed perspective.

In conclusion, I respectfully ask the HCIFS Committee to carry over LD 1740 to the Second Regular Session of the 131<sup>st</sup> Legislature.

Thank you for your consideration. I am happy to respond to questions you may have for me.

## **REFERENCES**

The No Surprises Act sections of the Consolidate Appropriations Act of 2021 that describe Good Faith Estimate and Advance Explanation of Benefits. See sections 111, 112, pgs. 1682-1688.

<https://www.congress.gov/116/plaws/publ260/PLAW-116publ260.pdf>.

Request for Information (RFI) concerning section 111 of the No Surprises Act which identifies August 2023 for a notice of proposed rulemaking (NPRM).

<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202210&RIN=0938-AU98>

FAQ's Good Faith Estimates (GFEs) for Uninsured (or self-pay) Individuals – Par 1

<https://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/Guidance-Good-Faith-Estimates-FAQ.pdf>