



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



Janet T. Mills
Governor

Anne L. Head
DPFR Commissioner

Timothy N. Schott
Acting Superintendent

February 13, 2023

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

Re: L.D. 1793, "Resolve, Directing the Department of Health and Human Services to Contract for Discounted Insulin Manufactured and Distributed by Civica Rx", 131st Second Regular Session

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

The Bureau takes no position on L.D. 1793, nor its proposed amendment. The purpose of this letter is to raise a concern that the Bureau has about language in the amendment.

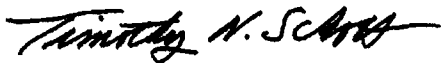
Section 4 of the bill creates a new section in the Health Plan Improvement Act¹, section 4317-C, regarding coverage for prescription insulin drugs. In the last sentence of subsection 2-A, it is unclear whether the Superintendent of Insurance must make a determination on the adequacy of the data the carrier submits to the Bureau to demonstrate that another insulin drug has a lower net cost than the one already on its formulary. If the Superintendent must analyze this data and approve a carrier's submission, this analysis could require a fiscal note as the Bureau of Insurance does not have the necessary expertise in-house. On the other hand, if the submitted data does not require an analysis, no fiscal note will be required.

¹ 24-A M.R.S. § 4301-4343.

Senator Donna Bailey, Senate Chair
Representative Anne Perry, House Chair
February 13, 2024
Page 2 of 2

Please let me know if I can provide any further assistance.

Sincerely,

A handwritten signature in black ink that reads "Timothy N. Schott". The signature is written in a cursive style with a prominent flourish at the end.

Timothy N. Schott
Acting Superintendent
Cc: