



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



Janet T. Mills  
Governor

Anne L. Head  
DPFR Commissioner

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Superintendent

March 5, 2024

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. 227, "An Act Regarding Health Care in the State", 131<sup>st</sup> Second Regular Session

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

The Bureau takes no position on L.D. 227. The purpose of this letter is to provide you with background information. This bill creates a legal right to access gender-affirming health care services and reproductive health care services and creates protections for the patients seeking such care, and for the health care practitioners who provide such services. Information in this letter is limited to the parts of the bill that touch on Maine insurance law.

First, the bill would prohibit carriers offering medical malpractice in this State from discriminating in the way they issue, renew, or charge for their policies solely on the basis that the health care practitioner engages or assists in providing legally protected health care activity that may violate another state's laws. It would also prohibit carriers from taking adverse action against a healthcare practitioner as a result of a disciplinary action taken by another state if that disciplinary action is based solely on a violation of another state's law related to legally protected health care.

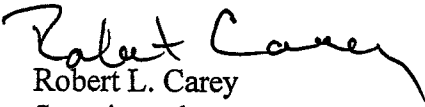
Second, regarding the credentialing process, the bill would prohibit carriers or health plans from terminating or not renewing a contract with a participating provider, or otherwise financially penalizing a participating provider, on the sole basis that the provider engages in legally protected health care.

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The Bureau believes that this bill would have little to no effect on medical malpractice insurance rates.

I hope this information is useful to the Committee. Please let me know if I can provide any further assistance.

Sincerely,

  
Robert L. Carey  
Superintendent