



Maine Equal Justice
People Policy Solutions

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Testimony in Support of LD 1, An Act To Establish the COVID-19 Patient Bill of Rights

Good morning Senator Sanborn, Representative Tepler, and members of the Health Coverage, Insurance, and Financial Services Committee. My name is Kathy Kilrain del Rio. I'm with Maine Equal Justice, a nonprofit legal aid provider working to increase economic security, opportunity, and equity for people in Maine. I'm testifying in support of LD 1 today.

Low-income Mainers are often at greater risk for COVID-19 due to working in essential jobs with a lot of contact with the public or providing direct care to our most vulnerable Mainers. Others are working in settings where social distancing isn't possible. They often work long hours and may not have health care coverage. Some low-income Mainers are also more at risk due to the living arrangements they can afford. They may live in small apartments where they cannot isolate family members who have been exposed or in congregate settings like shelters. These same low-income individuals who are often at greater risk to contract COVID are also least able to absorb costs for testing or vaccination. As other have said today, costs of any kind should not be a barrier to testing or vaccination.

In particular, we are grateful that this bill addresses potential costs for vaccine administration. As you know well from the work of your committee, people without insurance have less access to care than those who are insured, and they are more likely to choose not to get needed care due to costs.¹ While Maine was able to create a coverage category in MaineCare for people without insurance to get coverage for COVID-19 testing due to a federal option, there is not a similar option for those without insurance to get coverage for vaccine administration. Requiring carriers to cover vaccination administration is critical.

However, **another step that should be taken to make this bill stronger is to require that providers who administer COVID-19 vaccines not charge any fee to Mainers who are uninsured. Instead of charging fees to uninsured individuals, providers should seek reimbursement through the [Health Resources Services Administration \(HRSA\)](#), an agency of the U.S. Department of Health and Human Services. According to the *HRSA FAQs for COVID-19 Claims Reimbursement to Health Care Providers and Facilities for Testing, Treatment and Vaccine Administration*, providers who "administered a licensed or authorized COVID-19 vaccine to uninsured individuals on or after**

¹ <https://www.kff.org/uninsured/issue-brief/key-facts-about-the-uninsured-population/>

February 4, 2020, can request claims reimbursement through the program.”² This law would ensure that any uninsured Mainer can get a vaccine from any provider without concerns about cost.

Cost definitely affects the ability of Mainers with low incomes from getting care they need, including COVID-19 testing or getting vaccinated. If we want to ensure that people can get tested when they are exposed to COVID, we need to make sure there are no additional costs that may dissuade someone from getting tested. If we want to ensure that people can get the vaccine when they are eligible, we must make sure that there is no cost that could deter them. The pandemic and recession have disproportionately affected those with the lowest incomes. When families are struggling to put food on their tables or continue to pay rent to maintain their housing, they can’t afford another expense. The pandemic and recession have inflicted disproportionate harm on Mainers of color who are also more likely to lack health coverage.³ LD 1 can help mitigate some of that harm by making testing and vaccination for COVID-19 affordable for *all* Mainers.

We’re also grateful that LD 1 would make telehealth services more accessible. Often low-income Mainers don’t have access to the Internet or don’t have enough data to participate in a video meeting with a health care provider. There are similar challenges for Mainers living in rural areas without strong Internet. Even for those of us with Internet, Maine winter storms can disrupt our connection and make it impossible to access health care providers. Low-income Mainers are also more likely to lack transportation or may need to use public transportation or a service like a cab to attend an appointment. Given concerns around exposure to COVID-19, those transportation options may not be safe both for the individual who needs care and for those who may be exposed to illness when a sick individual needs to share that transportation with them. While increasing the availability of telehealth alone will not address all issues of access⁴, additional options to utilize telehealth services when appropriate will make a real difference for many Mainers.

For these reasons and others you have heard today, we urge you to pass the amended version of LD 1. Adding additional language to ensure all Mainers – even those without insurance coverage – can access vaccines without cost would make this bill even stronger. We applaud these efforts to make COVID testing and vaccination accessible for more Mainers and to provide additional options for Mainers across our state to access telehealth services.

Thank you.

² <https://www.hrsa.gov/coviduninsuredclaim/frequently-asked-questions>

³ <https://www.kff.org/racial-equity-and-health-policy/issue-brief/addressing-racial-equity-vaccine-distribution/>

⁴ <https://healthlaw.org/will-telehealth-provide-access-or-further-inequities-for-communities-of-color/>