

## **LD 631, An Act To Provide Funding for Maine's Health Insurance Consumer Assistance Program**

### **SUMMARY:**

This bill clarifies that the State is responsible for funding the Health Insurance Consumer Assistance Program. The bill also provides continued funding for the Health Insurance Consumer Assistance Program in fiscal years 2021-22 and 2022-23 through a transfer of available Other Special Revenue Funds balances from the Department of Professional and Financial Regulation to the Department of the Attorney General.

### **CURRENT LAW:**

The statutory authorization for the Health Insurance Consumer Assistance Program was established by [Public Law 2019, c. 522](#) considered in the First Regular Session of the 129<sup>th</sup> Legislature. The [law](#) requires the program to provide support for consumers, including prospective consumers, of health insurance, and public and private health insurance assistance programs. The services provided by the program may include: (1) Assisting consumers with filing complaints and appeals with a group health plan, health insurance carrier or independent review organization and providing information about the internal and external appeal and grievance processes of a group health plan, health insurance carrier or independent review organization; (2) Collecting, tracking and quantifying inquiries regarding health insurance and problems encountered by consumers; (3) Educating consumers on their rights and responsibilities with respect to health insurance coverage; (4) Assisting consumers with obtaining health insurance coverage by providing information, referrals or other assistance; (5) Assisting with obtaining federal health insurance premium tax credits under Section 36B of the United States Internal Revenue Code of 1986, as amended; and (6) Providing information to the public about the services of the consumer assistance program through a comprehensive outreach program and a toll-free telephone number.

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### **ISSUES FOR CONSIDERATION:**

1. The law requires the Attorney General to contract with a nonprofit, independent entity that is not a health insurer to operate the program. Consumers for Affordable Health Care is currently contracted to operate the program. When the law was enacted, one-time funding of \$200,000 annually in fiscal year 2019-2020 and fiscal year 2020-2021 was provided through a transfer of Other Special Revenue funds from the Bureau of Insurance. As drafted, LD 631 adds language to the law that requires the State to provide the necessary funding for the program on permanent basis. Further, it identifies as a source of funding for the next biennium only through an allocation of \$200,000 each year through a transfer of Other Special Revenue funds from the Bureau of Insurance for the biennium beginning July 1, 2021.
2. Consider whether the allocation of Other Special Revenue funds from the Bureau of Insurance is appropriate? Funds paid to the Bureau of Insurance are intended for use by the BOI to administer and enforce Maine's insurance laws. The testimony of the BOI noted their hope that the use of dedicated funds that do not directly relate to entities or program subject to their jurisdiction would not become a regular practice.
3. The [testimony](#) provided by the Attorney General in support of the bill included a copy of the annual report on the program submitted by Consumers for Affordable Health Care.

### **FISCAL INFORMATION:**

Not yet determined