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THE MAINE SENATE
130th Legislature

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Introducing LD 631, “An Act To Provide Funding for Maine's Health Insurance Consumer Assistance Program”
Joint Standing Committee on Health Coverage, Insurance and Financial Services
March 16, 2021

Senator Sanborn, Representative Tepler and colleagues of the Health Coverage, Insurance and Financial Services Committee, as you know I am Senator Stacy Brenner and I represent Senate District 30. I’m here today to introduce LD 631, “An Act To Provide Funding for Maine's Health Insurance Consumer Assistance Program.”

Studies have shown that many people have trouble understanding their health insurance. For example, a survey of 2,000 people found that only 4% of participants could correctly identify the four common insurance terms- deductible, co-insurance, co-pay, and out-of-pocket maximum.¹ Whether someone is trying to enroll in insurance or figure out how to get coverage for a medication or service under their plan, navigating health insurance can be extremely confusing and often becomes even more challenging when compounded by other factors, such as losing a job or experiencing a medical emergency.

In 2019, Maine’s Legislature enacted bipartisan legislation to establish the Health Insurance Consumer Assistance Program to provide support to individuals enrolling in health coverage and seeking resolution of issues with using their insurance, after enrollment. The legislation directed the Attorney General to contract with a nonprofit, independent health insurance consumer assistance entity, that is not an insurer, to operate the consumer assistance program (CAP).

Services to be provided by the CAP include:

- Educating people about their coverage options;
- Helping people to enroll in coverage and to access subsidies for health plans on the Marketplace;
- Helping people understand their rights and responsibilities under their insurance contract, such as how to access coverage for specialist services, out-of-network care, or other medically necessary health care; and
- Providing information and assistance to individuals with filing complaints and appeals to group health plans, health insurance carriers, and independent review organizations, such as appealing a decision to deny coverage or authorization for a medically necessary service or treatment.

¹ Radius Global Market Research, “Health Insurance Literacy Survey,” October 17, 2016, Prepared for Policygenius,

<https://www.policygenius.com/health-insurance/health-insurance-literacy-survey/>

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The CAP also conducts outreach to educate the public about available assistance and collects and tracks information about the problems people encounter with health insurance. The services provided by the Health Insurance Consumer Assistance Program plays a critical role in ensuring that consumers are able to find health insurance and are able to access the benefits they are entitled to.

The CAP is currently funded 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. However, without legislative action, this funding will end later this year. LD 631 will continue funding for the Attorney General to contract with a designated, nonprofit and independent health insurance consumer assistance entity to operate the Health Insurance Consumer Assistance Program.

Since the Health Insurance Consumer Assistance Program was established by the Legislature in 2019, the need for services provided by the CAP has only increased. Over the past year, the COVID-19 pandemic caused widespread economic disruption and thousands of people in Maine experienced job loss or changes in their income, and many lost their employer-based coverage as a result. On top of changes in insurance status, the pandemic spurred several other changes to health insurance, such as requirements for coverage of COVID-19 testing, treatment and vaccines. Recent changes made at the federal level through the American Rescue Plan with dramatically increase eligibility for subsidies through the Marketplace, as well provide new financial assistance to help pay COBRA premiums. These changes will offer people new and improved opportunities to get affordable health coverage, but in order to take advantage of these opportunities people may have to make changes to their health coverage, including switching to a new plan. It is important that individuals understand all of their coverage options and their rights and responsibilities under their health plans, and ensuring that consumer assistance is available to help people navigate these changes and take advantage of new consumer protections or added benefits is a crucial component of this.

The health insurance landscape is perpetually changing, and it is critical that people have the support they need to enroll in coverage and to help them get the most out of their insurance plan. Health insurance has been shown to increase access to medical care and is associated with improved health outcomes.² Increasing enrollment also helps to improve stability within insurance markets and increase affordability of health care. When everyone can get the health care and coverage they need, we are all better off. Supporting consumer assistance to help more people in Maine get health coverage and use their insurance successfully is a smart investment for Maine. I ask you to support LD 631 to continue funding for the Health Insurance Consumer Assistance Program.

² “Access to Health Services,” Office of Disease Prevention and Health Promotion, <https://www.healthypeople.gov/2020/topics-objectives/topic/social-determinants-health/interventions-resources/access-to-health>