

Janet T. Mills  
Governor

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Commissioner



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May 8, 2023

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

Re: LD 1577 – *An Act to Require Health Insurance Coverage for Biomarker Testing*

Senator Bailey, Representative Perry, and Members of the Joint Standing Committee on Health Coverage, Insurance & Financial Services:

This letter is to provide information on LD 1577, *An Act to Require Health Insurance Coverage for Biomarker Testing*.

This bill requires insurance coverage, including coverage in the MaineCare program, for biomarker testing.

MaineCare currently covers some, but not all, biomarker testing. The number of available billing codes for biomarker testing is large and growing. The fiscal impact of this bill is likely higher than anticipated.

The private insurance provisions of the bill allow utilization review to determine the appropriateness of biomarker testing for a particular patient/member; however, the MaineCare provisions do not speak to medical necessity for the test for a particular member, only to the scientific validity of the test. At present, MaineCare requires prior authorization for biomarker testing, and we would want to continue this practice to assure appropriateness and in view of the high cost of some biomarker testing. This may necessitate some changes in the language of the bill.

We wanted you to be aware of the above information as you consider this bill going forward. If you have any further questions, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle Probert".

Michelle Probert  
Director  
MaineCare Services