



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1353

S.P. 421

In Senate, March 21, 2019

An Act To Establish Transparency in Primary Health Care Spending

Reference to the Committee on Health Coverage, Insurance and Financial Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator SANBORN, L. of Cumberland.
Cosponsored by Representative JORGENSEN of Portland and
Senators: CLAXTON of Androscoggin, GRATWICK of Penobscot, SANBORN, H. of
Cumberland, Representatives: DUNPHY of Old Town, HUBBELL of Bar Harbor, PERRY of
Calais.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §8702, sub-§8-D** is enacted to read:

3 **8-D. Primary care.** "Primary care" means regular check-ups, wellness and general
4 health care provided by a health care practitioner with whom the patient has initial
5 contact for a health issue, not including an urgent care or emergency health issue, and by
6 whom the patient may be referred to a specialist.

7 **Sec. 2. 22 MRSA §8718** is enacted to read:

8 **§8718. Primary care data**

9 **1. Report.** An insurer shall report annually to the organization the insurer's total
10 primary care expenditures on a date and in a form determined by the organization. The
11 organization shall provide information received under this subsection to the Maine
12 Quality Forum for the purposes of Title 24-A, section 6951, subsection 12. For purposes
13 of this section, "insurer" has the same meaning as in Title 24-A, section 4.

14 **2. Rules.** The organization may adopt rules to carry out the purposes of this section.
15 Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5,
16 chapter 375, subchapter 2-A.

17 **Sec. 3. 24-A MRSA §6903, sub-§13-B** is enacted to read:

18 **13-B. Primary care.** "Primary care" means regular check-ups, wellness and general
19 health care provided by a provider with whom the patient has initial contact for a health
20 issue, not including an urgent care or emergency health issue, and by whom the patient
21 may be referred to a specialist.

22 **Sec. 4. 24-A MRSA §6951, sub-§12** is enacted to read:

23 **12. Primary care reporting.** The forum shall submit an annual report to the
24 Department of Health and Human Services and the joint standing committee of the
25 Legislature having jurisdiction over health and human services matters that includes:

26 A. Of their respective total medical expenditures, the percentage paid for primary
27 care by commercial insurers, the MaineCare program, Medicare, the organization that
28 administers health insurance for state employees and the Maine Education
29 Association benefits trust and the average percentage of total medical expenditures
30 paid for primary care across all payers; and

31 B. The methods used by commercial insurers, the MaineCare program, Medicare, the
32 organization that administers health insurance for state employees and the Maine
33 Education Association benefits trust to pay for primary care.

34 **Sec. 5. Maine Quality Forum to conduct health spending reporting study.**
35 The Maine Quality Forum, established in the Maine Revised Statutes, Title 24-A, section
36 6951, shall consult with other state and national agencies and organizations to determine
37 the best practices for reporting spending on primary care services by insurers. For

1 purposes of this section, "primary care" means general health care provided by a health
2 care provider with whom the patient has initial contact for a health issue and by whom the
3 patient may be referred to a specialist. By January 15, 2020, the forum shall submit a
4 report containing its findings from the study and any recommended legislation to the
5 Department of Health and Human Services and the Joint Standing Committee on Health
6 and Human Services. The committee may report out legislation based upon the report to
7 the Second Regular Session of the 129th Legislature.

8

SUMMARY

9 This bill requires insurers to report primary care expenditures to the Maine Health
10 Data Organization and for the Maine Quality Forum to use this data to report annually to
11 the Department of Health and Human Services and the Legislature the percentage of total
12 medical expenditures paid for primary care by commercial insurers, the MaineCare
13 program, Medicare, the organization that administers health insurance for state employees
14 and the Maine Education Association benefits trust respectively, the average of the
15 percentage of total medical expenses paid for primary care across all organizations and
16 the methods used by these organizations to pay for primary care. This bill also requires
17 the Maine Quality Forum to conduct a study on best practices in health care spending
18 reporting and submit its findings to the Department of Health and Human Services and
19 the Joint Standing Committee on Health and Human Services.