



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 882

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H.P. 649

House of Representatives, March 7, 2011

### An Act To Limit Health Care Mandates

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative RICHARDSON of Warren.

Cosponsored by Representatives: McKANE of Newcastle, PICCHIOTTI of Fairfield, Senator: WHITEMORE of Somerset.

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

2 **Sec. 1. 24-A MRSA §4303, sub-§1-A** is enacted to read:

3 **1-A. Minimum essential benefits.** Notwithstanding any other provision of this Title  
4 or Title 24, a carrier offering or renewing a health plan in this State on or after January 1,  
5 2014 may not provide benefits or coverage that exceeds the health care benefits included  
6 in the minimum essential benefits package determined by the Secretary of the United  
7 States Department of Health and Human Services pursuant to the federal Patient  
8 Protection and Affordable Care Act, Public Law 111-148, Section 1302.

9 **Sec. 2. Minimum essential benefits; Bureau of Insurance report.** The  
10 Department of Professional and Financial Regulation, Bureau of Insurance shall review  
11 and evaluate the minimum essential benefits package determined by the Secretary of the  
12 United States Department of Health and Human Services pursuant to the federal Patient  
13 Protection and Affordable Care Act, Public Law 111-148, as amended by the federal  
14 Health Care and Education Reconciliation Act of 2010, Public Law 111-152, in  
15 comparison to any laws in the Maine Revised Statutes, Title 24 and Title 24-A that  
16 mandate medical benefits or coverage in individual or group health insurance policies.  
17 The bureau shall determine which laws in Title 24 and Title 24-A mandate medical  
18 benefits or coverage and develop proposed legislation to eliminate mandated benefits that  
19 do not conform to the minimum essential benefits package required under federal law.  
20 The bureau shall submit a report, including proposed legislation as required by this  
21 section, to the joint standing committee of the Legislature having jurisdiction over  
22 insurance and financial services matters no later than 3 months following the adoption of  
23 the minimum essential benefits package by the Secretary of the United States Department  
24 of Health and Human Services. The joint standing committee of the Legislature having  
25 jurisdiction over insurance and financial services matters may report out a bill based on  
26 the report to the First Regular Session of the 126th Legislature.

27 **SUMMARY**

28 This bill prohibits carriers from offering a health plan in this State on or after January  
29 1, 2014 that exceeds the minimum essential benefits package determined in accordance  
30 with federal law.

31 The bill also requires the Department of Professional and Financial Regulation,  
32 Bureau of Insurance to evaluate the minimum essential benefits package to be determined  
33 by the Secretary of the United States Department of Health and Human Services in  
34 comparison to existing mandated health insurance benefits required by state law. The bill  
35 directs the bureau to determine which mandated benefits are not included in the federal  
36 minimum essential benefits package and develop proposed legislation to eliminate those  
37 mandated benefits in state law. The bureau must submit its report within 3 months of the  
38 adoption of the minimum essential benefits package. The bill authorizes the joint  
39 standing committee of the Legislature having jurisdiction over insurance and financial  
40 services matters to report out a bill based on the report to the First Regular Session of the  
41 126th Legislature.