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HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 844, L.D. 1155, Bill, “An Act To Protect Patients and the Prudent Layperson Standard”

Amend the bill in section 1 in subsection 4-A in the 2nd line (page 1, line 4 in L.D.) by inserting after the following: "health condition" the following: ', including severe pain.'

Amend the bill in section 1 in subsection 4-A in paragraph A in subparagraph (2) in the first line (page 1, line 13 in L.D.) by inserting after the following: "function." the following: 'or'

Amend the bill in section 1 in subsection 4-A in paragraph A by striking out all of subparagraph (4) (page 1, line 15 in L.D.).

Amend the bill in section 1 in subsection 4-B in the last line (page 1, line 23 in L.D.) by striking out the following: "by a health care provider"

Amend the bill by striking out all of sections 2 and 3 and inserting the following:

'Sec. 2. 24-A MRSA §4304, sub-§5, as enacted by PL 1999, c. 742, §13, is amended to read:

5. Emergency services. When conducting utilization review or making a benefit determination for emergency services, a carrier shall provide benefits for emergency services consistent with the requirements of this subsection and any applicable bureau rule.

A. Before a carrier denies benefits or reduces payment for an emergency service based on a determination of the absence of an emergency medical condition or a determination that a lower level of care was needed, the carrier shall conduct a utilization review done by a board-certified emergency physician who is licensed in this State, including a review of the enrollee's medical record related to the emergency medical condition subject to dispute. If a carrier requests records related to a potential denial of or payment reduction for an enrollee's benefits when emergency services were furnished to an enrollee, a provider has an affirmative duty

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- 1 5. It provides that any rules adopted by the Department of Professional and Financial
- 2 Regulation, Bureau of Insurance to amend current rules to conform to changes made in
- 3 this legislation are routine technical rules.