



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 636

S.P. 229

In Senate, March 3, 2015

**An Act To Provide Consumers of Health Care with Information
Regarding Health Care Costs**

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
Secretary of the Senate

Presented by Senator DILL of Penobscot.
Cosponsored by Representative SANBORN of Gorham and
Senators: ALFOND of Cumberland, GRATWICK of Penobscot, SAVIELLO of Franklin,
Representatives: FARNSWORTH of Portland, NOON of Sanford.

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

2 **Sec. 1. 24-A MRSA §4303, sub-§20** is enacted to read:

3 **20. Information about prescription drugs.** A carrier offering a health plan in this
4 State shall provide the following information to prospective enrollees and enrollees with
5 respect to prescription drug coverage on its publicly accessible website.

6 A. A carrier shall post each prescription drug formulary for each health plan offered
7 by the carrier. The prescription drug formularies must be posted in a manner that
8 allows prospective enrollees and enrollees to search the formularies and compare
9 formularies to determine whether a particular prescription drug is covered under a
10 formulary. When a change is made to a formulary, the updated formulary must be
11 posted on the website within 72 hours.

12 B. A carrier shall provide an explanation of:

13 (1) The requirements for utilization review, prior authorization or step therapy
14 for each category of prescription drug covered under a health plan;

15 (2) The cost-sharing requirements for prescription drug coverage, including a
16 description of how the costs of prescription drugs will specifically be applied or
17 not applied to any deductible or out-of-pocket maximum required under a health
18 plan;

19 (3) The exclusions from coverage under a health plan and any restrictions on use
20 or quantity of covered health care services in each category of benefits; and

21 (4) The amount of coverage provided under a health plan for out-of-network
22 providers or noncovered health care services and any right of appeal available to
23 an enrollee when out-of-network providers or noncovered health care services are
24 medically necessary.

25 **SUMMARY**

26 This bill requires all health insurance carriers offering individual and group health
27 plans to provide certain information with respect to prescription drug coverage to
28 prospective enrollees and enrollees on its publicly accessible website. The bill requires
29 carriers to post each prescription drug formulary for each health plan in a manner that
30 allows enrollees to determine whether a particular prescription drug is covered under a
31 formulary. The bill also requires carriers to provide information about utilization review,
32 prior authorization or step therapy, cost-sharing, exclusions from coverage and the
33 amount of coverage for out-of-network providers or noncovered health care services.