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STATE OF MAINE  
ONE HUNDRED AND THIRTY-FIRST LEGISLATURE  
COMMITTEE ON HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

March 30, 2023

Timothy A. Schott  
Acting Superintendent  
Bureau of Insurance  
34 State House Station  
Augusta, Maine 04333

Dear Acting Superintendent Schott,

Recently, the Joint Standing Committee on Health Coverage, Insurance and Financial Services considered LD 706, An Act to Improve Access to Specialty Health Care Providers by Reducing Copayments. As drafted, LD 706 limits the amount of the copayment that carriers offering health plans in this State may impose for a health care service rendered by a health care provider, other than a primary care provider, to no less than the copayment for primary care services and to no more than 50% of the allowed amount under a carrier's health plan for that health care service. The requirements would apply to health plans beginning on or after January 1, 2024.

The committee believes that a proposal such as this would best be considered as part of the Clear Choice design rulemaking process. With that understanding, the committee voted "Ought Not to Pass" on LD 706. We are writing to request that the Bureau consider making changes to the Clear Choice design rules for the 2024 plan year that would address cost sharing for rehabilitative services, chiropractic services, physical therapy services and occupational therapy services by establishing lower copayment structures for these services than copayments for specialty providers. We understand that such a change is being evaluated by the Bureau and would be possible within the current actuarial value requirements. We recommend that the Bureau include the lower copayment structure for these services into the Clear Choice plan designs for the 2024 plan year.

We ask that you report back to the Committee on the Bureau's final proposal for 2024 Clear Choice designs before June 30, 2023. If you have any questions, please do not hesitate to contact us or our legislative analyst, Colleen McCarthy Reid. Thank you for your consideration.

Sincerely,

Handwritten signature of Sen. Donna A. Bailey.

Sen. Donna A. Bailey  
Senate Chair

Handwritten signature of Rep. Anne C. Perry.

Rep. Anne C. Perry  
House Chair