

**§4320-P. Coverage for health care services for COVID-19**

Notwithstanding any requirements of this Title to the contrary, a carrier offering a health plan in this State shall provide, at a minimum, coverage as required by this section for screening, testing and immunization for COVID-19. [PL 2021, c. 28, Pt. A, §3 (NEW).]

**1. Definitions.** For the purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "COVID-19" means the coronavirus disease 2019 resulting from SARS-CoV-2, severe acute respiratory syndrome coronavirus 2, and any virus mutating from that virus. [PL 2021, c. 28, Pt. A, §3 (NEW).]

B. "Surveillance testing program" means a structured program of asymptomatic testing at a community or population level to understand the incidence or prevalence of COVID-19 in a group. "Surveillance testing program" does not include a program of testing that occurs less often than once per month per individual. [PL 2021, c. 28, Pt. A, §3 (NEW).]  
[PL 2021, c. 28, Pt. A, §3 (NEW).]

**2. Testing.** A carrier shall provide coverage for screening and testing for COVID-19 as follows.

A. A carrier shall provide coverage for screening and testing for COVID-19, except when such screening and testing is part of a surveillance testing program. [PL 2021, c. 28, Pt. A, §3 (NEW).]

B. A carrier may not impose any deductible, copayment, coinsurance or other cost-sharing requirement for the costs of COVID-19 screening and testing, including all associated costs of administration. [PL 2021, c. 28, Pt. A, §3 (NEW).]

C. A carrier may not make coverage without cost sharing as required by paragraph B dependent on any prior authorization requirement. [PL 2021, c. 28, Pt. A, §3 (NEW).]

D. A carrier may not make coverage without cost sharing as required by paragraph B dependent on the use of a provider in a carrier's network unless an enrollee is offered screening and testing by a network provider without additional delay and the enrollee chooses instead to obtain screening from an out-of-network provider or to be tested by an out-of-network laboratory. [PL 2021, c. 28, Pt. A, §3 (NEW).]

E. For the purposes of this subsection, with respect to COVID-19 screening and testing rendered by an out-of-network provider, a carrier shall reimburse the out-of-network provider in accordance with section 4303-C, subsection 2, paragraph B. [PL 2021, c. 28, Pt. A, §3 (NEW).]  
[PL 2021, c. 28, Pt. A, §3 (NEW).]

**3. Immunization; COVID-19 vaccines.** A carrier shall provide coverage for COVID-19 vaccines as follows.

A. A carrier shall provide coverage for any COVID-19 vaccine licensed or authorized under an emergency use authorization by the United States Food and Drug Administration that is recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization, for administration to an enrollee. [PL 2021, c. 28, Pt. A, §3 (NEW).]

B. A carrier may not impose any deductible, copayment, coinsurance or other cost-sharing requirement for the cost of COVID-19 vaccines, including all associated costs of administration. [PL 2021, c. 28, Pt. A, §3 (NEW).]

C. A carrier may not make coverage without cost sharing as required by paragraph B dependent on any prior authorization requirement. [PL 2021, c. 28, Pt. A, §3 (NEW).]

D. A carrier may not make coverage without cost sharing as required by paragraph B dependent on the use of a provider in a carrier's network unless an enrollee is offered immunization by a network provider without additional delay and the enrollee chooses instead to obtain immunization from an out-of-network provider. [PL 2021, c. 28, Pt. A, §3 (NEW).]

[PL 2021, c. 28, Pt. A, §3 (NEW).]

**4. Rules.** The superintendent may adopt rules to implement and administer this section to align with any applicable federal requirements. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2021, c. 28, Pt. A, §3 (NEW).]

**REVISOR'S NOTE:** §4320-P. Coverage for services provided by a certified registered nurse anesthetist (As enacted by PL 2021, c. 39, §1 is REALLOCATED TO TITLE 24-A, SECTION 4320-Q)

#### SECTION HISTORY

PL 2021, c. 28, Pt. A, §3 (NEW). PL 2021, c. 39, §1 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through October 15, 2024. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.