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Date: (Filing No. S- )

**HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE  
SENATE  
130TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 443, L.D. 1357, “An Act To Require Private Insurance Coverage for Postpartum Care”

Amend the bill by striking out the title and substituting the following:

**'An Act To Clarify Health Insurance Coverage for Postpartum Care'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 24-A MRSA §2743-B** is enacted to read:

**§2743-B. Maternity and postpartum care**

An insurer that issues individual contracts providing maternity benefits shall provide coverage for 12 months following childbirth for postpartum care services and support necessary to transition a patient to a healthy and stable condition that meets the recommendations of the American College of Obstetricians and Gynecologists outlined in the "Optimizing Postpartum Care" opinion published May 2018. The postpartum care services and support provided in accordance with this section must include coverage for development of a postpartum care plan; contact with the patient within 3 weeks of the end of pregnancy; a comprehensive postpartum visit, including a full assessment of the patient's physical, social and psychological well-being; treatment of complications of pregnancy and childbirth, including pelvic floor disorders and postpartum depression; assessment of risk factors for cardiovascular disease; and care related to pregnancy loss.

**Sec. 2. 24-A MRSA §2834-D** is enacted to read:

**§2834-D. Maternity and postpartum care**

An insurer that issues group contracts providing maternity benefits shall provide coverage for 12 months following childbirth for postpartum care services and support necessary to transition a patient to a healthy and stable condition that meets the recommendations of the American College of Obstetricians and Gynecologists outlined in the "Optimizing Postpartum Care" opinion published May 2018. The postpartum care services and support provided in accordance with this section must include coverage for

**COMMITTEE AMENDMENT**

1 development of a postpartum care plan; contact with the patient within 3 weeks of the end  
2 of pregnancy; a comprehensive postpartum visit, including a full assessment of the patient's  
3 physical, social and psychological well-being; treatment of complications of pregnancy and  
4 childbirth, including pelvic floor disorders and postpartum depression; assessment of risk  
5 factors for cardiovascular disease; and care related to pregnancy loss.

6 **Sec. 3. 24-A MRSA §4234-F** is enacted to read:

7 **§4234-F. Maternity and postpartum care**

8 A health maintenance organization that issues individual and group contracts providing  
9 maternity benefits shall provide coverage for 12 months following childbirth for  
10 postpartum care services and support necessary to transition a patient to a healthy and stable  
11 condition that meets the recommendations of the American College of Obstetricians and  
12 Gynecologists outlined in the "Optimizing Postpartum Care" opinion published May 2018.  
13 The postpartum care services and support provided in accordance with this section must  
14 include coverage for development of a postpartum care plan; contact with the patient within  
15 3 weeks of the end of pregnancy; a comprehensive postpartum visit, including a full  
16 assessment of the patient's physical, social and psychological well-being; treatment of  
17 complications of pregnancy and childbirth, including pelvic floor disorders and postpartum  
18 depression; assessment of risk factors for cardiovascular disease; and care related to  
19 pregnancy loss.

20 **Sec. 4. No addition to State's essential health benefits; legislative finding.**

21 The Legislature finds that the requirements of this Act do not constitute an addition to the  
22 State's essential health benefits that requires defrayal of costs by the State pursuant to 42  
23 United States Code, Section 18031(d)(3)(B) because the requirements clarify that existing  
24 law mandating coverage for maternity benefits includes coverage for 12 months of  
25 postpartum care that meets the recommendations of the American College of Obstetricians  
26 and Gynecologists.

27 **Sec. 5. Application.** This Act applies to all policies, contracts and certificates  
28 executed, delivered, issued for delivery, continued or renewed in this State on or after  
29 January 1, 2023. For purposes of this Act, all contracts are deemed to be renewed no later  
30 than the next yearly anniversary of the contract date.'

31 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
32 number to read consecutively.

33 **SUMMARY**

34 This amendment replaces the bill. The amendment clarifies that maternity benefits  
35 provided by health insurers must include coverage for 12 months of postpartum care that  
36 meets the recommendations of the American College of Obstetricians and Gynecologists.  
37 The amendment makes the provisions apply to both individual and group contracts issued  
38 by insurers and health maintenance organizations and changes the application date to  
39 January 1, 2023.

1           The amendment also includes language stating the Legislature's finding that the  
2 changes are not an addition to the State's essential health benefits that would require the  
3 State to defray costs pursuant to the federal Patient Protection and Affordable Care Act.

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**FISCAL NOTE REQUIRED**  
**(See attached)**