

## 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

**Legislative Document** 

No. 942

H.P. 697

House of Representatives, February 21, 2019

## An Act To Require Reimbursement for Medical Marijuana

Reference to the Committee on Health and Human Services suggested and ordered printed.

ROBERT B. HUNT

R(+ B. Hunt

Presented by Representative COLLINGS of Portland. Cosponsored by Senator DILL of Penobscot and Representatives: BROOKS of Lewiston, HARNETT of Gardiner, KESSLER of South Portland, LANDRY of Farmington, MAXMIN of Nobleboro, McDONALD of Stonington, STANLEY of Medway, WARREN of Hallowell.

2	PART A
3 4	<b>Sec. A-1. 22 MRSA §2426, sub-§2, ¶A,</b> as enacted by IB 2009, c. 1, §5, is amended to read:
5 6 7	A. A government medical assistance program or private health insurer, except as provided in Title 24-A, sections 2717-B, 2829-B and 4320-L, to reimburse a person for costs associated with the medical use of marijuana; or
8	Sec. A-2. 24 MRSA §2317-B, sub-§6-A is enacted to read:
9 10	6-A. Title 24-A, sections 2717-B, 2829-B and 4320-L. Coverage for marijuana for medical use, Title 24-A, sections 2717-B, 2829-B and 4320-L;
11	Sec. A-3. 24-A MRSA §2717-B is enacted to read:
12	§2717-B. Coverage for marijuana for medical use
13 14 15	An insurer that provides benefits for accidental injury or disability in this State shall provide coverage for marijuana for medical use for an insured in accordance with this section.
16 17 18	1. Certification required. An insurer shall provide coverage to an insured who has received certification for the medical use of marijuana from a medical provider under Title 22, section 2423-B.
19 20	2. Reimbursement for out-of-pocket costs. An insurer shall directly reimburse an insured for the documented out-of-pocket costs:
21 22 23 24	A. Associated with obtaining certification from a medical provider authorized under Title 22, chapter 558-C, including any office visits with that medical provider, subject to any applicable copayment, coinsurance, deductible or other cost-sharing requirements under an insured's policy; and
25 26	B. To purchase and use marijuana for medical use in accordance with the certification from the medical provider under paragraph A.
27	Sec. A-4. 24-A MRSA §2829-B is enacted to read:
28	§2829-B. Coverage for marijuana for medical use
29 30 31	An insurer that provides benefits for accidental injury or disability in this State shall provide coverage for marijuana for medical use for an insured in accordance with this section.
32 33 34	1. Certification required. An insurer shall provide coverage to an insured who has received certification for the medical use of marijuana from a medical provider under Title 22, section 2423-B.

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

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<b>2. Reimbursement for out-of-pocket costs.</b> An insurer shall directly reimburse insured for the documented out-of-pocket costs:	<u>an</u>
A. Associated with obtaining certification from a medical provider authorized und Title 22, chapter 558-C, including any office visits with that medical provider, subjeto any applicable copayment, coinsurance, deductible or other cost-sharing requirements under an insured's policy; and	ect
B. To purchase and use marijuana for medical use in accordance with t certification from the medical provider under paragraph A.	<u>:he</u>
Sec. A-5. 24-A MRSA §4320-L is enacted to read:	
§4320-L. Coverage for marijuana for medical use	
A carrier offering a health plan in this State shall provide coverage for marijuana fundical use for an enrollee in accordance with this section.	<u>for</u>
1. Certification required. A carrier shall provide coverage to an enrollee who have received certification for the medical use of marijuana from a medical provider und Title 22, section 2423-B.	
2. Reimbursement for out-of-pocket costs. A carrier shall directly reimburse enrollee for the documented out-of-pocket costs:	<u>an</u>
A. Associated with obtaining certification from a medical provider authorized und Title 22, chapter 558-C, including any office visits with that medical provider, subjeto any applicable copayment, coinsurance, deductible or other cost-sharing requirements under an enrollee's health plan; and	<u>ect</u>
B. To purchase and use marijuana for medical use in accordance with t certification from the medical provider under paragraph A.	<u>:he</u>
<b>Sec. A-6. Application.</b> The requirements of this Part apply to all policic contracts and certificates executed, delivered, issued for delivery, continued or renew in this State on or after January 1, 2020. For purposes of this Part, all contracts a deemed to be renewed no later than the next yearly anniversary of the contract date.	red
PART B	
<b>Sec. B-1. 39-A MRSA §206, first</b> $\P$ , as enacted by PL 1991, c. 885, Pt. A, §8 a affected by §§9 to 11, is amended to read:	nd
An employee sustaining a personal injury arising out of and in the course employment or disabled by occupational disease is entitled to reasonable and proposed medical, surgical and hospital services, nursing, medicines, marijuana for medical upursuant to Title 22, chapter 558-C and mechanical, surgical aids, as needed, paid for the employer.	per <u>ise</u>
Sec. B-2. 39-A MRSA §206, sub-§8-A is enacted to read:	

8-A. Marijuana for medical use. An employee sustaining a personal injury arising 1 2 out of and in the course of employment is entitled to the medical use of marijuana as a treatment for that injury if the employee has received certification for the medical use of 3 marijuana from a medical provider under Title 22, section 2423-B. Notwithstanding 4 section 209-A, the employer shall directly reimburse the employee for the documented 5 out-of-pocket costs: 6 7 A. Associated with obtaining certification from a medical provider authorized under Title 22, chapter 558-C, including any office visits with that medical provider; and 8 9 To purchase and use marijuana for medical use in accordance with the certification from the medical provider under paragraph A. 10 11 **SUMMARY** 12 Part A of this bill requires a health insurance carrier to provide coverage for marijuana for medical use for a health plan enrollee who has received certification for the 13 medical use of marijuana from an authorized medical provider. Carriers are required to 14 directly reimburse a health plan enrollee for the costs of obtaining a medical marijuana 15 certificate and the costs of medical marijuana. The requirements apply to all individual 16 17 and group policies and contracts issued or renewed on or after January 1, 2020. 18 Part A also applies the same requirements to individual and group accidental injury 19 and disability insurance. 20 Part B of the bill requires an employer to reimburse an employee eligible for workers' compensation benefits for the costs of obtaining a medical marijuana certificate and the 21

costs of medical marijuana.

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