



DEPARTMENT OF

Professional &  
Financial Regulation

STATE OF MAINE

- OFFICE OF SECURITIES
- BUREAU OF INSURANCE
- CONSUMER CREDIT PROTECTION
- BUREAU OF FINANCIAL INSTITUTIONS
- OFFICE OF PROF. AND OCC. REGULATION

## Maine Bureau of Insurance

### Maine Medical Insurance External Review Summary

January 1, 2017 through December 31, 2017

#### What is an External Review?

When a consumer disputes a medical insurance claim that has been denied by their insurance company *and* has gone through at least one of two levels of the internal appeals process with the company, the consumer has the right under Maine law to request an external review. Disputes that qualify for an external review involve:

- medical necessity
- a pre-existing condition
- experimental treatments, or
- a disagreement about diagnosis, care, or treatment

The Bureau of Insurance contracts with several organizations that conduct external reviews at no cost to consumers. These organizations have no affiliation with the insurance companies. The insurance companies must abide by the final decision of the external review. The consumer, on the other hand, is free to pursue other legal avenues if they are not satisfied with the decision.

External Reviews became available in Maine in 2000. The results of the last 10 years of external reviews are summarized in Figure 1, below.

#### 2017 External Review Requests

In 2017, the CHCD received 73 requests for external review:

- 7 were not completed because the consumer did not return the necessary signed releases to continue the process;
- Of the 66 remaining requests, 65 were completed by January 1, 2018;
- Of the 65 completed requests, 29 were overturned (45%), 1 was partially overturned (1%), three were withdrawn (5%) and 32 (49%) upheld the carrier's decision.

Forty-one cases were heard regarding medical necessity of treatment:

- 10 mental/behavioral health or substance abuse treatment;
- 2 physical therapy/chiropractic care;
- 1 medical device or equipment;
- 8 medication therapy;
- 3 lab tests
- 4 air ambulance; and
- 13 general treatment decisions.
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Twenty-four decisions were related to whether the treatment provided was experimental or investigational:

- 23 lab tests; and
- 1 general treatment decision.

The CHCD reviewed additional requests for external review that did not qualify under the statutes, either because the internal appeal process was not utilized prior to requesting external review or because the denial was based on issues other than the validity of the carrier's medical decisions.

Figure 1

### External Review Outcomes

