

## §4241. Gynecological and obstetrical services

**1. Coverage in managed care plans.** With respect to managed care plans that require enrollees to select primary care physicians, a health maintenance organization that issues group policies, contracts and certificates must meet the following requirements.

A. The health maintenance organization must permit a physician who specializes in obstetrics and gynecology to serve as a primary care physician if the physician qualifies under the organization's credentialing policy. [PL 1995, c. 617, §5 (NEW); PL 1995, c. 617, §6 (AFF).]

B. All group plan contracts must provide coverage for an annual gynecological examination, including routine pelvic and clinical breast examinations, performed by a physician, certified nurse practitioner or certified nurse midwife participating in the plan, without requiring the prior approval of the primary care physician. [PL 1995, c. 617, §5 (NEW); PL 1995, c. 617, §6 (AFF).]

C. If the examination specified in paragraph B reveals a gynecological condition for which another visit to the physician participating in the plan is medically required and appropriate, or for any gynecological care beyond the annual examination, the carrier may require the patient or the examining physician, certified nurse practitioner or certified nurse midwife to secure from the patient's primary care physician a referral to the participating physician, certified nurse practitioner or certified nurse midwife from whom such care may be obtained. [PL 1995, c. 617, §5 (NEW); PL 1995, c. 617, §6 (AFF).]

[PL 2003, c. 517, Pt. A, §11 (AMD); PL 2003, c. 517, Pt. A, §13 (AFF).]

**2. Application.** This section applies to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State. For purposes of this section, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

[PL 2003, c. 517, Pt. A, §11 (AMD); PL 2003, c. 517, Pt. A, §13 (AFF).]

This section does not prohibit a carrier from requiring a physician, certified nurse practitioner or certified nurse midwife participating in the plan to inform a woman's primary care physician prior to each treatment pursuant to this section. [PL 1995, c. 617, §5 (NEW); PL 1995, c. 617, §6 (AFF).]

### SECTION HISTORY

PL 1995, c. 617, §5 (NEW). PL 1995, c. 617, §6 (AFF). PL 2003, c. 517, §A11 (AMD). PL 2003, c. 517, §A13 (AFF).

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