

**§3122. Office of Affordable Health Care**

**1. Office established.** The Office of Affordable Health Care is established as an independent executive agency for the purpose of analyzing health care costs in this State in accordance with the duties set forth in this chapter and as provided in this section.

[PL 2021, c. 459, §3 (NEW).]

**2. Director; appointment.** The Governor shall appoint the executive director, subject to review by the legislative oversight committee and to confirmation by the Legislature. The director shall serve for a 5-year term of office. The director may continue to serve beyond the end of the 5-year term until a successor is appointed and qualified. Any vacancy occurring must be filled by appointment for the unexpired portion of the term. Any willful violation of this chapter by the director constitutes sufficient cause for removal of the director by the Governor and on the address of both branches of the Legislature.

[PL 2021, c. 459, §3 (NEW).]

**3. Duties.** The office's duties must be performed independently under the general policy direction of the legislative oversight committee and the advisory council. The office shall report at least annually to the Governor and the legislative oversight committee pursuant to section 3125 and upon request of the legislative oversight committee on matters affecting the cost of health care in this State. The office shall, at a minimum, use data available from the Maine Health Data Organization, established pursuant to Title 22, chapter 1683, and the Maine Quality Forum, established in Title 24-A, section 6951, to:

A. Analyze health care cost growth trends and correlation to the quality of health care; [PL 2021, c. 459, §3 (NEW).]

B. Analyze health care spending trends by consumer categories, payer type, provider categories or any other measurement that presents available data in a manner that may assist the legislative oversight committee in understanding health care cost drivers, health care quality and utilization trends, the impact of emerging technology in health care treatment, consumer experience with the health care system or any other aspect of the health care system; [PL 2023, c. 94, §1 (AMD).]

C. Monitor the adoption of alternative payment methods in this State and other states that foster innovative health care delivery and payment models to reduce health care cost growth and improve the quality of health care; [PL 2021, c. 459, §3 (NEW).]

D. Based upon the data obtained and the analysis pursuant to paragraphs A to C, develop proposals for consideration by the legislative oversight committee on potential methods to improve the cost-efficient provision of high-quality health care to the residents of this State; [PL 2021, c. 459, §3 (NEW).]

E. Based upon the data obtained and the analysis pursuant to paragraphs A to C, conduct a systemic review of the health care system and develop proposals to improve coordination, efficiency and quality of the health care system; [PL 2021, c. 459, §3 (NEW).]

F. Develop proposals for consideration by the legislative oversight committee on potential methods to improve consumer experience with the health care system, including the provision of a consumer advocacy function on health care matters not addressed by the Health Insurance Consumer Assistance Program established in Title 24-A, section 4326 or the Department of Professional and Financial Regulation, Bureau of Insurance, Consumer Health Care Division established in Title 24-A, section 4321; and [PL 2021, c. 459, §3 (NEW).]

G. Provide staffing assistance to the Maine Prescription Drug Affordability Board established in chapter 167. [PL 2021, c. 459, §3 (NEW).]

Beginning in 2023, the office shall analyze barriers to affordable health care and coverage and develop for consideration by the legislative oversight committee proposals on potential methods to improve health care affordability and coverage for individuals and small businesses in the State.

[PL 2023, c. 94, §1 (AMD).]

**4. Data; confidentiality.** Data provided to the office under subsection 3 is confidential to the same extent it is confidential while in the custody of the entity that provided the data to the office.

[PL 2021, c. 459, §3 (NEW).]

**5. Staffing.** The director shall appoint staff as needed to carry out the duties and responsibilities under this chapter. The appointment and compensation of the staff are subject to the Civil Service Law.

[PL 2021, c. 459, §3 (NEW).]

**6. Coordination with other entities.** The director may contract with individuals or entities and may seek assistance and coordinate efforts in accordance with this chapter with other agencies or divisions of State Government and with other entities as long as the contract, assistance or coordination does not present a conflict of interest. For the purposes of this subsection, "conflict of interest" means an association, including a financial or personal association, that has the potential to bias or have the appearance of biasing the office's decisions or the conduct of the office's activities.

[PL 2021, c. 459, §3 (NEW).]

**7. Budget.** The revenues and expenditures of the office are subject to legislative approval in the biennial budget process. The director shall prepare the budget for the administration and operation of the office in accordance with the provisions of law that apply to departments of State Government.

[PL 2021, c. 459, §3 (NEW).]

**8. Legal counsel.** The Attorney General, when requested, shall furnish any legal assistance, counsel or advice the office requires in the discharge of its duties.

[PL 2021, c. 459, §3 (NEW).]

**9. Grants.** The office may solicit, receive and accept grants, funds or anything of value from any public or private organization and receive and accept contributions of money, property, labor or any other thing of value from any legitimate source.

[PL 2021, c. 459, §3 (NEW).]

**10. Rulemaking.** The office may adopt rules as necessary for the proper administration and enforcement of this chapter, pursuant to the Maine Administrative Procedure Act. Unless otherwise specified, rules adopted pursuant to this chapter are routine technical rules as defined in chapter 375, subchapter 2-A.

[PL 2021, c. 459, §3 (NEW).]

## SECTION HISTORY

PL 2021, c. 459, §3 (NEW). PL 2021, c. 518, §1 (AMD). PL 2023, c. 94, §1 (AMD).

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 January 1, 2025. 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.