

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

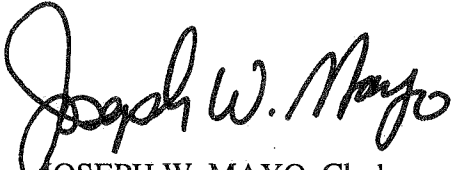
No. 911

H.P. 658

House of Representatives, February 6, 1997

**An Act to Define the Diagnosis of Pregnancy for the Purposes of
Insurance Coverage.**

Reference to the Committee on Banking and Insurance suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative MAYO of Bath.
Cosponsored by Senator GOLDTHWAIT of Hancock and
Representatives: ETNIER of Harpswell, MITCHELL of Portland, THOMPSON of Naples,
WINGLASS of Auburn.

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

4 **Sec. 1. 24 MRSA §2350, sub-§2,** as amended by PL 1993, c. 477,
Pt. A, §7 and affected by Pt. F, §1, is further amended to read:

6 **2. Limitation.** An individual or group contract between a
8 subscriber and a nonprofit hospital or medical service
10 organization may not impose a preexisting condition exclusion
12 period of more than 12 months. The exclusion may only relate to
14 conditions manifesting in symptoms that would cause an ordinarily
16 prudent person to seek medical advice, diagnosis, care or
18 treatment or for which medical advice, diagnosis, care or
20 treatment was recommended or received during the 12 months
immediately preceding the effective date of coverage, or to a
pregnancy existing on the effective date of coverage. For the
purposes of this section, a pregnancy exists on the date a woman
misses her last normal menstrual period. A routine preventive
screening or test yielding only negative results may not be
deemed to be diagnosis, care or treatment for the purposes of
this subsection.

22 **Sec. 2. 24-A MRSA §2850, sub-§2,** as amended by PL 1993, c.
24 477, Pt. A, §15 and affected by Pt. F, §1, is further amended to
read:

26 **2. Limitation.** An individual or group contract issued by an
28 insurer may not impose a preexisting condition exclusion waiting
30 period of more than 12 months. The exclusion may only relate to
32 conditions manifesting in symptoms that would cause an ordinarily
34 prudent person to seek medical advice, diagnosis, care or
36 treatment or for which medical advice, diagnosis, care or
38 treatment was recommended or received during the 12 months
immediately preceding the effective date of coverage, or to a
pregnancy existing on the effective date of coverage. For the
purposes of this section, a pregnancy exists on the date a woman
misses her last normal menstrual period. A routine preventive
screening or test yielding only negative results may not be
deemed to be diagnosis, care or treatment for the purposes of
this subsection.

42 **SUMMARY**

44 This bill defines the existence of a pregnancy as the time
46 when a women misses her last normal menstrual period for the
48 purposes of determining when pregnancy exists as it relates to
the application of a preexisting condition exclusion under an
insurance policy. Under current practice, insurers define the

2 existence of a pregnancy as the date of conception. However,
pregnancy is medically diagnosed at the time a woman presents
4 symptoms, namely a missed menstrual period. This bill defines
pregnancy as existing on the date when it is medically
diagnosable.