

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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**Legislative Document**

**No. 497**

H. P. 382

House of Representatives, February 2, 1971

Referred to Committee on Business Legislation. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Smith of Waterville.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT Relating to Health Insurance Coverage for Mental Illness.**

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

**R. S., T. 24-A, § 2159, sub-§ 3, additional.** Section 2159 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended by adding a new subsection 3 to read as follows:

3. No policy for health insurance delivered or issued for deliverance after the effective date of this Act to any person in this State, including both individual policies and group policies as to coverage for mental illness, shall exclude hospitalization benefits for such patients hospitalized in tax-supported institutions of the State of Maine or any county or municipality thereof, or in any other properly licensed facility providing mental health care, whether such institution be deemed charitable or otherwise. All health insurance policies shall provide the same coverage for mental illness as for medical and surgical illness.

STATEMENT OF FACT

Contracts for health insurance often contain provisions which set special limitations on the payment for care and treatment of the mentally ill. These limitations consist of shorter periods of paid care for the mentally ill when compared with those of other illnesses, or the provision for co-insurance, or a limitation on the type of facility within which an individual may be treated and still receive payment for his treatment. Some contracts do not

permit payment for care in special psychiatric hospitals or may not pay for care in hospitals under public auspices.

This suggested law would prohibit continuation of such discrimination by providing that any limitations applied in a health insurance contract could not be differentially applied against the mentally ill or the facilities in which treatment is provided.