

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 363

H. P. 274

House of Representatives, February 9, 1977

Speaker laid before the House and referred to Committee on Judiciary.  
Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Brown of Bethel.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT Relating to Responsibility of Parents to Provide Medical Care  
Coverage for Minor Children.**

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

**Sec. 1.** 19 MRSA § 581, last sentence is amended to read:

Upon the petition of either the husband or wife, or of the guardian or next friend of either who may be mentally ill, may make further orders relative to the care, custody and maintenance, and medical care of the minor children of the parties, may determine with which of their parents such children or any of them shall remain, may order the husband to pay to such court for the wife sufficient money for the prosecution of such petition, and may from time to time, upon a similar petition, revise or alter any such order and make a new order in lieu thereof, as the circumstances of the parties or such minor children or any of them may require, and may enforce obedience by appropriate process.

**Sec. 2.** 19 MRSA § 582, last sentence, as repealed and replaced by PL 1975, c. 701, § 9, is amended to read:

Nothing in this section shall preclude the court from incarcerating a husband for not providing medical care coverage for minor children, nonpayment of child support, alimony or attorney's fees in violation of a court order to do so.

**Sec. 3.** 19 MRSA § 693 is amended to read:

**§ 693.** Pending divorce wife's expenses paid by husband

Pending a divorce action, the court may order the husband to pay to the wife, or to her attorney for the wife, sufficient money for her defense or prose-

cution thereof, and to make reasonable provision for her separate support, **including an order to obtain or continue to provide medical care coverage**, on a motion for which costs and counsel fees may be ordered; enter such decree for the care, custody and support of the minor children as the court deems proper; and in all cases enforce obedience by appropriate processes on which costs and counsel fees shall be taxed as in other actions. **Availability of public welfare benefits to the family shall not affect the decision of the court as to the legal responsibility of a parent to provide support and medical care coverage for his or her minor children.**

**Sec. 4.** 19 MRSA § 752 is amended by inserting after the first sentence the following new sentences:

**Support orders may include an order to obtain or continue to provide medical care coverage for the minor children. Availability of public welfare benefits to the family shall not affect the decision of the court as to the legal responsibility of a parent to provide support and medical care coverage for his or her minor children.**

**Sec. 5.** 22 MRSA § 3754, 2nd ¶, as last amended by PL 1971, c. 622, § 76, is further amended by inserting after the 3rd sentence the following new sentence:

**Such support orders may include an order to obtain or continue to provide medical care coverage for such child.**

**Sec. 6.** 22 MRSA § 3792, 2nd ¶, as last amended by PL 1969, c. 590, § 31, is further amended by inserting before the last sentence the following new sentence:

**Such decrees may include an order to obtain or continue to provide medical care coverage for such child.**

#### STATEMENT OF FACT

The purpose of this bill is to provide explicit authority for the minor children of separated and divorced parents. The primary purpose of this is to re-affirm the liability of parents for medical care rendered to their minor children.