

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

**Legislative Document**

**No. 1413**

H. P. 1189

House of Representatives, March 19, 1981

Referred to the Committee on Labor. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Clark of Millinocket.

Cosponsor: Representative McHenry of Madawaska.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

**AN ACT Relating to General Health Insurance Benefits for Injured Maine Workers and their Families.**

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

39 MRSA § 113 is enacted to read:

§ 113. **Health insurance continued**

**No employer, within 3 years of the date that rights accrue under this Act, may cancel or withhold accident and health insurance coverage of any employee or his dependents while the employee is receiving benefits under this Act or is receiving a continuation of salary or wages under a sick leave policy. Coverage shall be provided on the same terms and conditions that apply to the employer's other employees. Any employee aggrieved by an act of an employer in violation of this section may sue for damages for any injury suffered by him because of the violation. All costs of the suit, including reasonable attorneys fees, are chargeable to the employer who violated this section.**

STATEMENT OF FACT

The purpose of this bill is to provide that the employer continue the same health insurance policies on the same cost basis for general health insurance coverage

for an injured worker and his family for a period of 3 years from the date of injury. Many Maine employers voluntarily provide this coverage at this time, but in the event that an employer does not provide such coverage at this time, the burden falls on Maine's hospitals in terms of uncollectible debts and on government resources, including municipalities. When a worker is injured at work, the medical and hospital expenses for the consequences of that injury are the responsibility of the workers' compensation insurance carrier. However, when a worker is disabled from work, he loses not only his paycheck, but often his health insurance coverage for himself and his family. When a worker with a broken leg develops an unrelated medical condition, such as a heart attack, there is no source to pay the medical and hospital bills involved. The same occurs in regard to his family, in terms of injuries to his children and in terms of disability and medical needs of his spouse. The 3-year time limit from the date of injury is provided because the injured employee, if not his family, will be covered by Social Security Medicare if he is disabled for a period of 3 years or more.