

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 386

6
7 H.P. 327

House of Representatives, February 1, 1983

8 On Motion of Representative Beaulieu of Portland referred to the
9 Committee on Labor. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

10 Presented by Representative Connolly of Portland.

Cosponsors: Senator Dutremble of York and Representative Tuttle of
Sanford.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT Relating to General Health
18 Insurance Benefits for Injured
19 Maine Workers and Their Families.
20

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

23 39 MRSA §113 is enacted to read:

24 §113. Health insurance continued

25 No employer, within 3 years of the date that
26 rights accrue under this Act, may cancel or withhold
27 accident and health insurance coverage of any
28 employee or his dependents while the employee is
29 receiving benefits under this Act or is receiving a
30 continuation of salary or wages under a sick leave
31 policy. Coverage shall be provided on the same terms
32 and conditions that apply to the employer's other
33 employees. Any employee aggrieved by an act of an

1 employer in violation of this section may sue for
2 damages for any injury suffered by him because of the
3 violation. All costs of the suit, including reason-
4 able attorneys' fees, are chargeable to the employer
5 who violated this section.

6 STATEMENT OF FACT

7 The purpose of this bill is to provide that the
8 employer continue the same health insurance policies
9 on the same cost basis for general health insurance
10 coverage for an injured worker and his family for a
11 period of 3 years from the date of injury. Many
12 Maine employers voluntarily provide this coverage at
13 this time, but in the event that an employer does not
14 provide such coverage at this time, the burden falls
15 on Maine's hospitals in terms of uncollectible debts
16 and on government resources, including municipali-
17 ties. When a worker is injured at work, the medical
18 and hospital expenses for the consequences of that
19 injury are the responsibility of the workers' compen-
20 sation insurance carrier. When a worker is disabled
21 from work, he loses not only his paycheck, but often
22 his health insurance coverage for himself and his
23 family. When a worker with a broken leg develops an
24 unrelated medical condition, such as a heart attack,
25 there is no source to pay the medical and hospital
26 bills involved. The same occurs in regard to his
27 family, in terms of injuries to his children and in
28 terms of disability and medical needs of his spouse.
29 The 3-year time limit from the date of injury is pro-
30 vided because the injured employee, if not his
31 family, will be covered by Social Security Medicare
32 if he is disabled for a period of 3 years or more.

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