

# MAINE STATE LEGISLATURE

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(New Draft of H.P. 327, L.D. 386)

FIRST REGULAR SESSION

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ONE HUNDRED AND ELEVENTH LEGISLATURE

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Legislative Document

No. 1148

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H.P. 896

House of Representatives, March 10, 1983

Reported by Representative Swazey from the Committee on Labor and  
printed under Joint Rule 2.

EDWIN H. PERT, Clerk

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STATE OF MAINE

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

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

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

Sec. 1. 24 MRSA §2330, sub-§10 is enacted to  
read:

10. Additional conversion period for injured  
workers. Any employee whose group health coverage  
ceases because of termination of employment resulting  
from an injury for which compensation is claimed  
under Title 39, and who has not begun to receive that  
compensation within the 31-day period prescribed in  
subsection 1, shall have an additional 30-day period  
in which to exercise the conversion privilege pro-  
vided in this section. In cases where the injury

1 results in the employee's death, the additional con-  
2 version period shall also be available to the  
3 employee's surviving spouse and children, as provided  
4 in subsection 2, paragraph A.

5       Sec. 2. 24-A MRSA §2809-A, sub-§10 is enacted to  
6 read:

7       10. Additional conversion period for injured  
8 workers. Any employee whose group insurance coverage  
9 ceases because of termination of employment resulting  
10 from an injury for which compensation is claimed  
11 under Title 39, and who has not begun to receive that  
12 compensation within the 31-day period prescribed in  
13 subsection 1, shall have an additional 30-day period  
14 in which to exercise the conversion privilege pro-  
15 vided in this section. In cases where the injury  
16 results in the employee's death, the additional con-  
17 version period shall also be available to the  
18 employee's surviving spouse and children, as provided  
19 in subsection 2, paragraph A.

20       Sec. 3. Transition provision. This Act shall  
21 apply to any contract or policy executed, delivered,  
22 issued for delivery, renewed, modified or amended in  
23 this State after its effective date.

24                                   STATEMENT OF FACT

25       The original version of the bill imposed a duty  
26 on an employer to continue accident and health insur-  
27 ance coverage for an employee and his dependents for  
28 up to 3 years while the employee received workers'  
29 compensation or sick leave benefits. It also allowed  
30 an employee to sue an employer who did not continue  
31 insurance coverage with attorney's fees and costs of  
32 suit charged to the employer. This new draft makes  
33 substantial changes in that concept.

34       Under the current laws, a person insured under a  
35 group health services or health insurance contract  
36 has 31 days after his coverage ceases to convert to  
37 an individual policy. This new draft allows an addi-  
38 tional 30-day conversion period for employees whose  
39 coverage ceases because of termination of employment  
40 resulting from an injury for which the employee

1 claims workers' compensation benefits. In cases  
2 where the employee dies as a result of the injury,  
3 the additional conversion period shall also be avail-  
4 able to the employee's surviving spouse and children.

5 Section 1 of this new draft adds this provision  
6 to the laws on group health services contracts and  
7 section 2 adds it to the laws on group health insur-  
8 ance contracts. Section 3 makes this Act applicable  
9 only to policies and contracts issued or renewed  
10 after its effective date in order that existing con-  
11 tracts are not impaired.

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