

# MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2470

S.P. 937

In Senate, March 7, 1988

Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.

Reference to the Committee on State and Local Government suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.

Cosponsored by Representative BICKFORD of Jay,  
Representative BOUTILIER of Lewiston.

STATE OF MAINE

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

1 AN ACT Relating to the State Health  
2 Insurance Program and the Bureau of State  
3 Employee Health.  
4

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

7 Sec. 1. 5 MRSA §285, sub-§2, as amended by PL  
8 1985, c. 785, Pt. A, §30, is repealed and the  
9 following enacted in its place:

1        2.    Coverage.    Each state employee to whom this  
2 section applies shall be eligible for group accident  
3 and sickness or health insurance as provided in Title  
4 24-A, sections 2802 to 2812, including major medical  
5 benefits. The provisions of such group insurance  
6 policy or policies shall be determined, insofar as  
7 such provisions are not inconsistent with terms and  
8 conditions contained in collective bargaining  
9 agreements negotiated pursuant to Title 26, chapter  
10 9-B, by a board of trustees consisting of the members  
11 of the State Employee Health Commission as provided in  
12 section 958. The master policy for such group  
13 insurance shall be held by the Commissioner of  
14 Administration and shall be administered by the State  
15 Employee Health Commission.

16        Sec. 2.    5    MRSA §286, sub-§3, as repealed and  
17 replaced by PL 1979, c. 657, is amended to read:

18        3.    Funding.    The cost of administration of the  
19 Division of Benefits in the Bureau of State Employee  
20 Health and the costs of the trustees shall be funded  
21 from an administrative allowance to be negotiated with  
22 the health benefit carriers. Indirect costs may not  
23 be allocated to the program.

24        Sec. 3.    5    MRSA §286, sub-§§4 and 5 are enacted  
25 to read:

26        4.    Appeals.    Appeals shall be to a subcommittee  
27 of the trustees consisting of the labor and management  
28 chairmen and the retiree representative.

29        5.    Interest-bearing accounts.    The trustees may  
30 establish separate interest-bearing accounts and take  
31 other appropriate and necessary administrative actions  
32 to carry out their duties.

33        Sec. 4.    5    MRSA §§957 and 958 are enacted to  
34 read:

35        §957. Organization

1        The Bureau of State Employee Health shall consist  
2 of 3 divisions under the supervision of the director.  
3 Division heads shall be appointed by the director,  
4 subject to the Civil Service Law and with the approval  
5 of the State Employee Health Commission. These  
6 divisions are:

7        1. Division of Benefits. The Division of  
8 Benefits, which is responsible for administration of  
9 the group accident and sickness or health insurance  
10 program, Title 5, sections 285 and 286;

11        2. Division of Wellness and Health Planning. The  
12 Division of Wellness and Health Planning, which is  
13 responsible for the study and administration of  
14 wellness and health programs upon recommendations of  
15 the State Employee Commission, Title 5, section 958;  
16 and

17        3. Division of State Employee Assistance  
18 Program. The Division of State Employee Assistance  
19 Program, which is responsible for administering the  
20 State Employee Assistance Program, Title 22, chapter  
21 254-A.

22        §958. State Employee Health Commission

23        The State Employee Health Commission shall consist  
24 of 9 representatives of labor, one from each  
25 bargaining unit recognized under Title 26, chapter  
26 9-B, one representing the bargaining units recognized  
27 under Title 26, chapter 14, and a retiree  
28 representative; and 9 representatives of management.

29        The labor representatives shall be appointed by  
30 the representative of their bargaining unit, and the  
31 retiree representative shall be elected by a majority  
32 vote of the presidents of the retiree chapters of the  
33 Maine State Employees Association. The management  
34 representatives shall be the Director of State  
35 Employee Health, a representative of the Judicial  
36 Department and 7 others chosen by the director. All  
37 members of the commission shall serve at the pleasure  
38 of their appointing authority.

39        The State Employee Health Commission shall serve  
40 as trustees of the group accident and sickness or

1 health insurance in this Title, and shall advise the  
2 Director of State Employee Health and the division  
3 directors on all programs under the charge of the  
4 bureau, including, but not limited to, health  
5 insurance issues concerning health and wellness, the  
6 employee assistance program and the use of the State  
7 Employee Health Internal Service Fund Account.

8 All votes of the commission shall be one vote cast  
9 by labor and one vote cast by management. The votes  
10 shall be cast by the labor chairman who shall be  
11 chosen by the labor members and the vote shall  
12 represent the majority opinion of the labor caucus of  
13 the commission; and by the management chairman who  
14 shall be the Director of State Employee Health.

15 STATEMENT OF FACT

16 This bill establishes the State Employee Health  
17 Commission to oversee the Bureau of State Employee  
18 Health and the group accident and sickness or health  
19 insurance program. The Bureau of State Employee  
20 Health is reorganized into 3 divisions:

- 21 1. Division of Benefits;
- 22 2. Division of Wellness and Health Planning; and
- 23 3. Division of State Employee Assistance Program.

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