

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 1294

H.P. 928

House of Representatives, April 24, 1989

Reference to the Committee on Banking and Insurance suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative KILKELLY of Wiscasset.

Cosponsored by Representative ALLEN of Washington, Senator RANDALL of Washington and Representative CURRAN of Westbrook.

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STATE OF MAINE

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

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**An Act to Require Health Insurance Carriers to Inform Parents of  
Benefit and Other Information.**

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

3 Sec. 1. 24-A MRSA §2713-A is enacted to read:

5 §2713-A. Notice to noninsuring parent

7 If the insured is a minor under the age of 18, and if the  
9 insurer is so requested by a parent of the insured who is not  
11 paying the premiums on the policy, the insurer shall provide that  
13 parent with reasonable notice of any of the following:

15 1. Payment or denial of claim. The payment or denial of  
17 any claim filed on behalf of the insured minor;

19 2. Change in terms and conditions. Any proposed change in  
21 the terms and conditions of the policy; and

23 3. Notice of lapse. Any notice that the policy may lapse.

25 In addition, any parent who requests to receive the notices  
27 required by this section shall be permitted to authorize the  
29 filing of any claim thereunder.

31 Sec. 2. 24-A MRSA §2823-A is enacted to read:

33 §2823-A. Notice to parent of minor

35 If the insured is a minor under the age of 18, and if the  
37 insurer is so requested by either of the minor's parents, the  
39 insurer shall provide the requesting parent with reasonable  
41 notice of any of the following:

43 1. Payment or denial of claim. The payment or denial of  
45 any claim filed on behalf of the insured minor;

47 2. Change in terms and conditions. Any proposed change in  
49 the terms and conditions of the policy; and

51 3. Notice of lapse. Any notice that the policy may lapse.

In addition, any parent who requests to receive the notices  
required by this section shall be permitted to authorize the  
filing of any claim thereunder.

STATEMENT OF FACT

This bill intends to remedy a problem currently existing concerning the delivery of health care to minors of separated or divorced parents where the minor is insured under the individual, group or blanket health insurance policy of one of the parents. In this situation, the other parent has no right to be notified

1 of the payment or denial of health claims filed on behalf of the  
minor or to be notified in advance of any changes in the terms  
3 and conditions of the policy or that it is about to lapse; nor is  
that parent generally allowed to file claims on behalf of the  
5 minor, even if that parent has custody. The bill allows such  
parents to file such claims and upon the parents' request,  
7 require the insurance company to give reasonable notice of the  
payment or denial of claims on behalf of the minor, of any  
9 proposed change in the terms or conditions of the policy, and of  
the possibility that the policy may lapse.