

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1068

S.P. 391

Received by the Secretary, March 8, 1991

Referred to the Committee on Judiciary and 1400 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator HOLLOWAY of Lincoln  
Cosponsored by Representative COTE of Auburn.

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STATE OF MAINE

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

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An Act to Permit Collateral Source Evidence in Civil Actions.

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

14 MRSA c. 6 is enacted to read:

CHAPTER 6

COLLATERAL SOURCE EVIDENCE

§121. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Claimant. "Claimant" means any person who brings a civil action. If a civil action is brought through or on behalf of an estate, "claimant" includes the decedent. If a civil action is brought by or on behalf of a minor, "claimant" includes the minor's parent or guardian.

2. Collateral source. "Collateral source" means a benefit paid or payable to the claimant or on the claimant's behalf under, from or pursuant to a contract, agreement or plan executed, renewed or implemented on or after the effective date of this chapter, including:

A. Accident, health or sickness insurance; income or wage replacement insurance; income disability insurance; workers' compensation insurance; casualty or property insurance, including automobile accident and homeowner's insurance benefits; or any other insurance benefits, except life insurance benefits;

B. A contract or agreement of a group, organization, partnership or corporation to provide, pay for or reimburse the cost of medical, hospital, dental or other health care services or provide similar benefits;

C. A contractual or voluntary wage continuation plan or payments made pursuant to such a plan provided by an employer or otherwise or any other system intended to provide wages during a period of disability; or

D. A governmentally sponsored or initiated program such as Medicare, Medicaid or Social Security providing benefits paid or payable to the claimant for the claimant's expenses or losses, without consideration of the program's effective date of execution, renewal or implementation.

3. Damages. "Damages" means economic losses incurred by or on behalf of the claimant for which that party is claiming recovery through a civil action.

