

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1652

H.P. 1127

House of Representatives, April 24, 1991

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 MAHANY of Easton.  
Cosponsored by Representative RAND of Portland.

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STATE OF MAINE

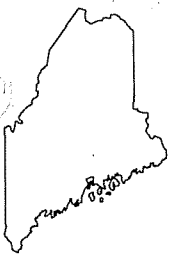
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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**An Act to Exclude Certain Procedures from the Managed Care Program.**

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

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3       **Sec. 1.** 24 MRSA §2302-B, first ¶, as enacted by PL 1989, c.  
4 767, §2, is amended to read:

6       A contract issued by a nonprofit hospital or medical  
7 services organization may not include a provision permitting the  
8 organization to impose a penalty for the failure of any person to  
9 notify the organization of a covered person's hospitalization for  
10 emergency treatment or for any treatment related to pregnancy.  
11 For purposes of this section, "emergency treatment" has the same  
12 meaning as defined in Title 22, section 1829.

14       **Sec. 2.** 24-A MRSA §2749-A, first ¶, as enacted by PL 1989, c.  
15 767, §3, is amended to read:

16       An insurance policy may not include a provision permitting  
17 the insurer to impose a penalty for the failure of any person to  
18 notify the insurer of an insured person's hospitalization for  
19 emergency treatment or for any treatment related to pregnancy.  
20 For purposes of this section, "emergency treatment" has the same  
21 meaning as defined in Title 22, section 1829.

24       **Sec. 3.** 24-A MRSA §2848, as enacted by PL 1989, c. 767, §4;  
25 c. 801, §3 and c. 867, §§8 and 10, is repealed and the following  
26 enacted in its place:

28       §2848. Definitions

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

32       1. Group. "Group" means any of the types of groups under  
33 sections 2804 to 2808.

36       2. Preexisting condition exclusion. "Preexisting condition  
37 exclusion" means an exclusion of benefits for a specified or  
38 indefinite period of time on the basis of one or more physical or  
39 mental conditions for which, preceding the effective date of  
40 enrollment:

42       A. A person experienced symptoms that would cause an  
43 ordinarily prudent person to seek diagnosis, care or  
44 treatment; or

46       B. A provider of health care services recommended or  
47 provided medical advice or treatment to the person.

48       3. Subgroup. "Subgroup" means an employer covered under a  
49 contract issued to a multiple employer trust or to an association.  
50



2 pregnancy. The bill also repeals and replaces 2 other sections  
in order resolve a numbering conflict.