

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

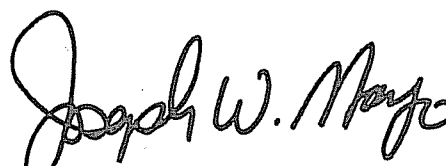
No. 453

H.P. 350

House of Representatives, February 11, 1993

An Act to Continue Health Insurance Coverage for Spouses and Ex-spouses.

Reference to the Committee on Judiciary suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative FARNSWORTH of Hallowell.
Cosponsored by Representatives: HALE of Sanford, MURPHY of Berwick, Senator: CONLEY of Cumberland.

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

2 Sec. 1. 19 MRSA §693, as amended by PL 1989, c. 834, Pt. B,
4 §10, is further amended to read:

6 **§693. Orders pending divorce**

8 In accordance with section 752, subsection 4, pending a
10 divorce action, the court may order either spouse to pay to the
12 other spouse, or to the attorney for the other spouse, sufficient
14 money for the defense or prosecution thereof; make reasonable
16 provision for either spouse's separate support, including health
18 coverage with the insurer, health maintenance organization or
20 nonprofit hospital or medical service organization of the other
22 spouse at the same rate formerly charged to the other spouse, on
24 a motion for which costs and counsel fees may be ordered; enter a
26 decree for the parental rights and responsibilities and support
28 of the minor children in accordance with chapter 7, subchapter
30 I-A; and in all cases enforce obedience by appropriate processes
32 on which costs and counsel fees are taxed as in other actions.
34 An order for child support under this section may include an
36 order for the payment of part or all of the medical expenses,
38 hospital expenses and other health care expenses of the children
40 or an order to provide a policy or contract for coverage of those
42 expenses. Availability of public welfare benefits to the family
44 must may not affect the decision of the court as to the
46 responsibility of a parent to provide child support.

30 Sec. 2. 19 MRSA §721, sub-§3-A is enacted to read:

32 3-A. Health coverage. The court may order health coverage
34 for a spouse or ex-spouse with the insurer, health maintenance
36 organization or nonprofit hospital or medical service
38 organization of the other spouse or ex-spouse at the same rate
40 formerly charged to the other spouse or ex-spouse.

38 Sec. 3. 24 MRSA §2349, sub-§7 is enacted to read:

40 7. Limit on premium. A nonprofit hospital or medical
42 service organization may not charge a premium to a person issued
44 coverage pursuant to Title 19, section 693 or 721, subsection
46 3-A, that exceeds the rate formerly charged to the other spouse
48 or ex-spouse.

46 Sec. 4. 24-A MRSA §2849-B, sub-§7 is enacted to read:

48 7. Limit on premium. An insurer or health maintenance
50 organization may not charge a premium to a person issued coverage
52 pursuant to Title 19, section 693 or 721, subsection 3-A, that
54 exceeds the rate formerly charged to the other spouse or
56 ex-spouse.

STATEMENT OF FACT

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4 This bill authorizes courts to order the maintenance of
health insurance coverage for spouses and ex-spouses in motions
pending divorce and in divorces. It imposes a cap on the premium
6 at the rate formerly charged to the spouse or ex-spouse.