

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

---

Legislative Document

No. 340

S.P. 154

In Senate, January 31, 1995

**An Act to Require Insurance Companies to Reenroll Individuals Who  
Return to an Insurance Group as Though No Break in Coverage Occurred.**

---

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

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS  
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.  
Cosponsored by Senator: McCORMICK of Kennebec.

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

4 **Sec. 1. 24 MRSA §2349, sub-§8** is enacted to read:

6 **8. Additional protections.** This section provides  
7 continuity of coverage for a person who was previously enrolled  
8 in a group contract under a group nonprofit hospital or medical  
9 service organization who seeks to reenroll in the same group  
10 contract and obtain the same coverage if:

12 A. That person was covered under a group contract or policy  
13 issued by any insurer, health maintenance organization,  
14 nonprofit hospital or medical service organization or was  
15 covered under an uninsured employee benefit plan that  
16 provides payment for health services received by employees  
17 and their dependents or a governmental program such as  
18 Medicaid, the Maine Health Program as established in Title  
19 22, section 3189, the Maine High-Risk Insurance Organization  
20 as established in Title 24-A, section 6052 and the Civilian  
21 Health and Medical Program of the Uniformed Services, 10  
22 United States Code, Section 1072, Subsection 4. For  
23 purposes of this section, the group contract under which the  
24 person is seeking reenrollment of coverage is the  
25 "succeeding contract." The group contract or policy or the  
26 uninsured employee benefit plan that previously covered the  
27 person is the "prior contract or policy"; and

28 B. Coverage under the prior group contract or policy  
29 terminated within 3 months before the date the person  
30 applies to reenroll. A period of ineligibility for a health  
31 plan imposed by terms of employment may not be considered in  
32 determining whether the coverage ended within 3 months of  
33 the date the person reenrolls or is otherwise eligible to  
34 reenroll.

36 **Sec. 2. 24-A MRSA §2849-B, sub-§8** is enacted to read:

38 **8. Additional protections.** This section provides  
39 continuity of coverage for a person who was previously enrolled  
40 in a group insurance policy or health maintenance organization  
41 policy who seeks to reenroll in the same group insurance policy  
42 or health maintenance organization policy and obtain the same  
43 coverage if:

44 A. That person was covered under a group contract or policy  
45 issued by any insurer, health maintenance organization,  
46 nonprofit hospital or medical service organization or was  
47 covered under an uninsured employee benefit plan that  
48 provides payment for health services received by employees  
49 and their dependents or a governmental program such as  
50 Medicaid, the Maine Health Program as established in Title

2 Medicaid, the Maine Health Program as established in Title  
4 22, section 3189, the Maine High-Risk Insurance Organization  
6 as established in Title 24-A, section 6052 and the Civilian  
8 Health and Medical Program of the Uniformed Services, 10  
10 United States Code, Section 1072, Subsection 4. For  
12 purposes of this section, the group contract under which the  
14 person is seeking reenrollment of coverage is the  
16 "succeeding contract." The group contract or policy or the  
18 uninsured employee benefit plan that previously covered the  
20 person is the "prior contract or policy"; and

22 B. Coverage under the prior group contract or policy  
24 terminated within 3 months before the date the person  
26 applies to reenroll. A period of ineligibility for a health  
28 plan imposed by terms of employment may not be considered in  
30 determining whether the coverage ended within 3 months of  
32 the date the person reenrolls or is otherwise eligible to  
34 reenroll.

## 20 **STATEMENT OF FACT**

22  
24 This bill requires that if a person is insured by a company,  
26 obtains insurance from another company and then wishes to return  
28 to the original insurance company, the original company must  
provide coverage. The original insurance company must renew the  
person's contract or policy as though a break in coverage never  
occurred.