

MAINE STATE LEGISLATURE

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1/28

L.D. 1665

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DATE: 2/20/96

(Filing No. H- 720)

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BANKING AND INSURANCE

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10 Reproduced and distributed under the direction of the Clerk of
12 the House.

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
SECOND REGULAR SESSION**

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20 COMMITTEE AMENDMENT "A" to H.P. 1215, L.D. 1665, Bill. "An
Act to Amend the Maine Insurance Code with Respect to Domestic
Violence"

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24 Amend the bill by striking out everything after the enacting
clause and before the statement of fact and inserting in its
place the following:

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'Sec. 1. 24-A MRSA §2159-B is enacted to read:

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**§2159-B. Discrimination against victims of domestic abuse
prohibited**

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An insurer, nonprofit hospital and medical service
organization or health maintenance organization that issues life,
health or disability coverage may not deny, cancel, refuse to
renew or restrict coverage of any person or require the payment
of additional charges based solely on the fact or perception that
the person is, or may become, the victim of domestic abuse, under
Title 19, section 762. This section does not prohibit applying
an underwriting or rating criterion to a victim of domestic abuse
based on physical or mental history or other factors of general
applicability regardless of the underlying cause and in
accordance with the requirements of section 2159, subsections 1
and 2. An insurer, nonprofit hospital and medical service
organization or health maintenance organization may not be held
criminally or civilly liable for any cause of action that may
result from compliance with this section. This section does not
prohibit an insurer from declining to issue coverage to an

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COMMITTEE AMENDMENT

2 applicant known to be, or to have been, an abuser of the proposed
3 insured.'

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6 **STATEMENT OF FACT**

8 This amendment replaces the bill and prohibits insurers,
9 nonprofit hospital and medical service organizations and health
10 maintenance organizations from discriminating against victims of
11 domestic violence in life, health and disability insurance
12 coverage. The amendment does not prohibit an insurer from
13 denying coverage to an applicant known to be, or to have been, an
14 abuser of the proposed insured.