

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 305

H.P. 227

House of Representatives, January 14, 1999

An Act to Provide Health Care Coverage to Certain Child Care Providers.

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative POWERS of Rockport.
Cosponsored by Representatives: BAKER of Bangor, BERRY of Livermore, COLWELL of Gardiner, McKEE of Wayne.

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

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Sec. 1. 5 MRSA §285, sub-§1, ¶G, as amended by PL 1997, c. 652, §1 and affected by §4, is further amended to read:

G. Subject to subsection 1-A, employees in any of the categories denominated in paragraphs A to F-1 and paragraph F-3 who:

(1) On April 26, 1968, have retired and who were covered under group health plans that by virtue of Public Law 1967, chapter 543 were terminated;

(2) After April 26, 1968, retire and who on the date of their retirement are currently enrolled in this group health plan as employees;

(3) After December 2, 1986, and after reaching normal retirement age, cease to be members of the Legislature and are recipients of retirement allowances from the Maine State Retirement System based upon creditable service as teachers, as defined by section 17001, subsection 42. This paragraph also applies to former members who were members on December 2, 1986;

(4) After December 2, 1986, and not yet normal retirement age, cease to be members of the Legislature and are recipients of retirement allowances from the Maine State Retirement System based upon creditable service as teachers, as defined by section 17001, subsection 42. This paragraph also applies to former members who were members on December 2, 1986; or

(5) After January 1, 1999, terminate employment under which they were eligible for the group health plan but do not retire at that time and who satisfy the requirements of subsection 1-A, paragraph D or paragraph E; and

Sec. 2. 5 MRSA §285, sub-§1, ¶H, as enacted by PL 1997, c. 80, §3, is amended to read:

H. A blind person operating a vending facility pursuant to Title 26, section 1418-F under the direction of the Department of Labor, Division for the Blind and Visually Impaired; and

Sec. 3. 5 MRSA §285, sub-§1, ¶I is enacted to read:

2 I. A child care provider who provides child care to one or
3 more children for which payment is made by the Department of
4 Human Services.

6 **Sec. 4. 5 MRSA §285, sub-§2**, as amended by PL 1991, c. 780,
7 Pt. Y, §23, is further amended to read:

8 **2. Coverage.** Each state employee or child care provider to
9 whom this section applies is eligible for a group health plan as
10 provided in Title 24-A, sections 2802 to 2812, including major
11 medical benefits or through a self-funded alternative. The
12 provisions of the group insurance policy or policies or the
13 self-funded alternative must be determined, insofar as the
14 provisions are not inconsistent with terms and conditions
15 contained in collective bargaining agreements negotiated pursuant
16 to Title 26, chapter 9-B, by the State Employee Health Commission
17 as provided in section 285-A. The master policy for the group
18 health plan must be held by the Commissioner of Administrative
19 and Financial Services.

20 **Sec. 5. 5 MRSA §285, sub-§3**, as amended by PL 1987, c. 731,
21 §3, is further amended to read:

22 **3. Enrollment.** Any employee eligible under this section
23 may join within the first 60 days of employment or during a
24 declared open enrollment period. A person eligible under
25 subsection 1, paragraph I may join while providing the child care
26 described in that paragraph. The filing of necessary
27 applications ~~shall be~~ is the responsibility of the employer.
28 Effective dates under this section ~~shall be~~ are at the discretion
29 of the commission.

30 **Sec. 6. 5 MRSA §285, sub-§7**, as repealed and replaced by PL
31 1997, c. 763, §1 and affected by §7, is amended to read:

32 **7. Payment by State.** Except as otherwise provided in this
33 subsection, the State, through the commission, shall pay 100% of
34 only the employee's share of the individual premium for the
35 standard plan identified and offered by the commission and
36 available to the employee as authorized by the commission, except
37 for Legislators, for whom the State shall pay 50% of the health
38 plan premium for dependent coverage. For any person appointed to
39 a position after November 1, 1981 who is employed less than full
40 time, the State shall pay a share of the employee's share reduced
41 pro rata to reflect the reduced number of work hours. The State
42 may not pay any portion of the health plan premium for a blind
43 person eligible for the group health plan under subsection 1,
44 paragraph H.

45 For persons who were first employed before July 1, 1991, the
46 State shall pay 100% of only the retiree's share of the premiums

2 for the standard plan identified and offered by the commission
and available to the retiree, as authorized by the commission for
4 persons who were previously eligible for this health plan
pursuant to subsection 1, paragraph A and who have subsequently
6 become eligible pursuant to subsection 1, paragraph G.

8 For persons who were first employed by the State after July 1,
1991, the State shall pay a pro rata share portion of only the
10 retiree's share of the premiums for the standard plan identified
and offered by the commission and available to the retiree, as
12 authorized by the commission for persons who were previously
eligible for this health plan pursuant to subsection 1, paragraph
14 A and who have subsequently become eligible pursuant to
subsection 1, paragraph G based on the total number of years of
16 participation in the group health plan prior to retirement as
follows:

18 Years of Participation	State Portion
20 10 or more years	100% group health plan premium
22 9 but less than 10 years	90% group health plan premium
24 8 but less than 9 years	80% group health plan premium
26 7 but less than 8 years	70% group health plan premium
28 6 but less than 7 years	60% group health plan premium
30 5 but less than 6 years	50% group health plan premium
32 Less than 5 years	No contribution

40 Pursuant to Title 20-A, section 12722, subsection 5, this
subsection applies to participants in the defined contribution
42 plan offered by the Maine Technical College System Board of
Trustees under Title 20-A, section 12722.

44 The Department of Human Services shall pay the health plan
46 premium for a person providing child care who is eligible under
48 subsection 1, paragraph I who joins the health plan.

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SUMMARY

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This bill makes the State Employee Health Plan available to a person providing child care for one or more children when payment for the care is provided by the Department of Human Services. It requires the department to pay the premiums for the health coverage.

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