

# 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)



# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

---

Legislative Document

No. 1409

S.P. 470

In Senate, February 18, 1999

**An Act to Clarify Discounts to Nonsmokers in Health Insurance  
Premium Rates.**

---

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator NUTTING of Androscoggin.

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

2  
4       **Sec. 1. 24-A MRSA §2736-C, sub-§2, ¶D,** as amended by PL 1995,  
c. 177, §1, is further amended to read:

6           D. A carrier may vary the premium rate due to age, ~~smoking~~  
8           ~~status,~~ occupation or industry, and geographic area only  
under the following schedule and within the listed  
percentage bands.

10                   (1) For all policies, contracts or certificates that  
12                   are executed, delivered, issued for delivery, continued  
14                   or renewed in this State between December 1, 1993 and  
16                   July 14, 1994, the premium rate may not deviate above  
or below the community rate filed by the carrier by  
more than 50%.

18                   (2) For all policies, contracts or certificates that  
20                   are executed, delivered, issued for delivery, continued  
22                   or renewed in this State between July 15, 1994 and July  
24                   14, 1995, the premium rate may not deviate above or  
below the community rate filed by the carrier by more  
than 33%.

26                   (3) For all policies, contracts or certificates that  
28                   are executed, delivered, issued for delivery, continued  
or renewed in this State after July 15, 1995, the  
premium rate may not deviate above or below the  
community rate filed by the carrier by more than 20%.

30       **Sec. 2. 24-A MRSA §2736-C, sub-§2, ¶F** is enacted to read:

32           F. In addition to any other variance authorized under this  
34           subsection, a carrier may vary the premium rate due to  
36           smoking status for all policies, contracts or certificates  
38           that are executed, delivered, issued for delivery, continued  
40           or renewed in this State after the effective date of this  
paragraph as long as the premium rate does not deviate above  
or below the community rate filed by the carrier by more  
than 15%.

42       **Sec. 3. 24-A MRSA §2808-B, sub-§2, ¶D,** as amended by PL 1997,  
44       c. 445, §14 and affected by §32, is further amended to read:

46           D. A carrier may vary the premium rate due to age, ~~smoking~~  
48           ~~status,~~ occupation or industry, and geographic area only  
under the following schedule and within the listed  
percentage bands.

2 (1) For all policies, contracts or certificates that  
4 are executed, delivered, issued for delivery, continued  
6 or renewed in this State between July 15, 1993 and July  
14, 1994, the premium rate may not deviate above or  
below the community rate filed by the carrier by more  
than 50%.

8 (2) For all policies, contracts or certificates that  
10 are executed, delivered, issued for delivery, continued  
12 or renewed in this State between July 15, 1994 and July  
14, 1995, the premium rate may not deviate above or  
below the community rate filed by the carrier by more  
than 33%.

14 (3) For all policies, contracts or certificates that  
16 are executed, delivered, issued for delivery, continued  
18 or renewed in this State after July 15, 1995, the  
20 premium rate may not deviate above or below the  
community rate filed by the carrier by more than 20%,  
except as provided in paragraph D-1.

22 **Sec. 4. 24-A MRSA §2808-B, sub-§2, ¶D-1**, as enacted by PL 1997,  
24 c. 445, §14 and affected by §32, is amended to read:

26 D-1. With respect to eligible groups that employed, on  
28 average, 25 to 50 eligible employees in the preceding  
30 calendar year, a carrier may vary the premium rate due to  
age, ~~smoking-status~~, occupation or industry and geographic  
area only under the following schedule and within the listed  
percentage bands.

32 (1) For all policies, contracts or certificates that  
34 are executed, delivered, issued for delivery, continued  
or renewed in this State in 1998, the premium rate may  
36 not deviate above or below the community rate filed by  
the carrier by more than 40%.

38 (2) For all policies, contracts or certificates that  
40 are executed, delivered, issued for delivery, continued  
or renewed in this State in 1999, the premium rate may  
42 not deviate above or below the community rate filed by  
the carrier by more than 30%.

44 (3) For all policies, contracts or certificates that  
46 are executed, delivered, issued for delivery, continued  
or renewed in this State after January 1, 2000, the  
48 premium rate may not deviate above or below the  
community rate filed by the carrier by more than 20%.

