

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2000

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Legislative Document

No. 2423

H.P. 1717

House of Representatives, January 10, 2000

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**An Act to Allow Privately Acquired Catastrophic Insurance Coverage to Supplement the Cub Care Program.**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

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

JOSEPH W. MAYO, Clerk

Presented by Representative SHERMAN of Hodgdon.  
Cosponsored by Representatives: DUGAY of Cherryfield, DUNCAN of Presque Isle,  
GAGNE of Buckfield, JACOBS of Turner, O'NEAL of Limestone, WHEELER of  
Bridgewater, WHEELER of Eliot.

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

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4       **Sec. 1. 22 MRSA §3174-T, sub-§2, ¶C,** as reallocated by RR  
6       1997, c. 2, §46, is amended by adding at the end a new paragraph  
8       to read:

10           C. All children resident in the State are eligible except a  
12           child who:

14                   (1) Is eligible for coverage under the Medicaid program;

16                   (2) Is covered under a group health insurance plan or  
18                   under health insurance, as defined in Section 2791 of  
20                   the federal Public Health Service Act, 42 United States  
22                   Code, Section 300gg(c) (Supp. 1997);

24                   (3) Is a member of a family that is eligible under  
26                   Title 5, section 285 for health coverage under the  
28                   state employee health insurance program;

30                   (4) Is an inmate in a public institution or a patient  
32                   in an institution for mental diseases; or

34                   (5) Within the 3 months prior to application for  
36                   coverage under the Cub Care program, was insured or  
38                   otherwise provided coverage under an employer-based  
40                   health plan for which the employer paid 50% or more of  
42                   the cost for the child's coverage, except that this  
44                   subparagraph does not apply if:

                  (a) The cost to the employee of coverage for the  
                  family exceeds 10% of the family's income;

                  (b) The parent lost coverage for the child because  
                  of a change in employment, termination of coverage  
                  under the Consolidated Omnibus Budget  
                  Reconciliation Act of 1985, COBRA, of the Employee  
                  Retirement Income Security Act of 1974, as  
                  amended, 29 United States Code, Sections 1161 to  
                  1168 (Supp. 1997) or termination for a reason not  
                  in the control of the employee; or

                  (c) The department has determined that grounds  
                  exist for a good-cause exception.

46       Notwithstanding this paragraph, a child may not be deemed  
48       ineligible for coverage under the Cub Care program solely  
50       because the child is covered under a privately provided  
      catastrophic insurance policy or contract designed to  
      supplement coverage under the Cub Care program.

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## SUMMARY

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This bill modifies the Cub Care law to allow retention of privately provided catastrophic insurance coverage for children, which would serve to supplement coverage under the Cub Care program.

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