

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 217

S.P. 49

In Senate, January 18, 2001

An Act to Clarify Insurance Coverage for Victims of Domestic Violence.

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 LONGLEY of Waldo.
Cosponsored by Representative O'NEIL of Saco and
Senators: ABROMSON of Cumberland, DOUGLASS of Androscoggin, LaFOUNTAIN of
York, Representatives: DUDLEY of Portland, SULLIVAN of Biddeford.

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

4 **Sec. 1. 24-A MRSA §2159-B**, as corrected by RR 1997, c. 2,
§50, is amended to read:

6 **§2159-B. Discrimination against victims of domestic abuse**
8 **prohibited**

10 An insurer, nonprofit hospital and medical service
12 organization or health maintenance organization that issues life,
14 health or disability coverage may not deny, cancel, refuse to
16 renew or restrict coverage of any person or require the payment
18 of additional charges based solely on the fact or perception that
20 the person is, or may become, the victim of domestic abuse, under
22 Title 19-A, section 4002. ~~This section does not prohibit
24 applying an underwriting or rating criterion to a victim of
26 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
applicant known to be, or to have been, an abuser of the proposed
insured.

28 **SUMMARY**

30 This bill removes the provision that allows insurers to
32 apply an underwriting to rating criterion to a victim of domestic
34 abuse based on a physical or mental history or other factors of
general applicability regardless of the underlying cause.