

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 435

S.P. 154

In Senate, February 4, 2003

An Act To Restrict the Cancellation of Health Insurance Coverage During an Enrollee's Period of Incarceration

Reference to the Committee on Insurance and Financial Services 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 KNEELAND of Aroostook.
Cosponsored by Senator: SHOREY of Washington, Representatives: CHURCHILL of Washburn, FISCHER of Presque Isle, LUNDEEN of Mars Hill, SHERMAN of Hodgdon, WOTTON of Littleton.

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

Sec. 1. 24-A MRSA §4315 is enacted to read:

§4315. Coverage cancellation restricted

A carrier may not discontinue, suspend or cancel coverage to an enrollee solely on the basis of that enrollee's incarceration in any county jail facility. This restriction on cancellation must be liberally construed. Any cancellation of coverage that is coincident with incarceration and not directly attributable to causes unrelated to the circumstance of incarceration is a violation of the section. If coverage under this section is provided through a managed care plan, a carrier may require that the services be rendered during any period of incarceration by a provider who contracts with the carrier.

Sec. 2. Application. The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2004. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

SUMMARY

This bill prohibits health insurance carriers from canceling coverage for enrollees who are incarcerated in county jail facilities solely on the basis of the enrollees' incarceration.