

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)



121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 666

S.P. 230

In Senate, February 11, 2003

Resolve, To Implement a Process That Provides for Sunsetting Health Insurance Mandates

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 TURNER of Cumberland.
Cosponsored by Senator: SHOREY of Washington, Representatives: O'BRIEN of Augusta,
ROSEN of Bucksport.

2 **Sec. 1. Bureau of Insurance review. Resolved:** That the Bureau
of Insurance within the Department of Professional and Financial
4 Regulation shall review existing state mandated benefits laws,
mandated health insurance coverage and mandated offerings of
6 health benefits specified in section 2 of this resolve in the
same manner as required under the Maine Revised Statutes, Title
8 24-A, section 2752 for proposed new mandated benefits and shall
issue a report and recommendations as specified in section 3 of
this resolve; and be it further

10 **Sec. 2. Provisions subject to review. Resolved:** That the
12 following mandated health insurance benefits are subject to
review under this resolve:

14 1. Nonprofit hospitals and medical service organizations,
16 including: the Maine Revised Statutes, Title 24, sections 2318,
2318-A, 2319, 2320, 2320-A, 2320-B, 2320-C, 2320-D, 2320-E,
18 2320-F, 2320-G, 2324, 2325-A, 2329, 2331, 2332-B, 2332-F,
2332-G, 2332-J, 2332-K, 2332-L and 2332-M;

20 2. Individual health insurance: Title 24-A, sections 2741,
22 2742, 2743, 2743-A, 2744, 2745, 2745-A, 2745-B, 2745-C, 2745-D,
2745-E, 2745-F, 2745-G, 2748, 2749-C, 2750, 2754, 2756, 2757,
24 2758, 2759 and 2760;

26 3. Group health insurance: Title 24-A, sections 2832,
2833, 2834, 2834-A, 2835, 2837, 2837-A, 2837-B, 2837-C, 2837-D,
28 2837-E, 2837-F, 2837-G, 2837-H, 2840-A, 2842, 2843, 2845, 2846,
2847, 2847-E, 2847-F, 2847-G, 2847-H, 2847-I, 2847-J and 2847-K;

30 4. Health maintenance organizations: Title 24-A, sections
32 4229, 4234, 4234-A, 4234-B, 4234-D, 4234-E, 4236, 4237, 4237-A,
4238, 4240, 4241, 4242, 4244, 4246, 4247, 4248, 4250 and 4251;
34 and

36 5. All health plans: Title 24-A, sections 4310, 4311 and
4314; and be it further

38 **Sec. 3. Report. Resolved:** That the Department of Professional
40 and Financial Regulation, Bureau of Insurance shall report its
findings to the Joint Standing Committee on Insurance and
42 Financial Services by January 15, 2004. In its report, the
bureau shall specifically identify which of the sections of the
44 Maine Revised Statutes subject to review under this resolve
should be repealed, amended or continued; and be it further

46 **Sec. 4. Repeal. Resolved:** That the Joint Standing Committee on
48 Insurance and Financial Services shall submit a bill to the
Second Regular Session of the 121st Legislature to repeal those
50 mandated health benefit laws recommended by the Department of

2 Professional and Financial Regulation, Bureau of Insurance for
repeal in the report required pursuant to section 3 of this
3 resolve.

4

6

SUMMARY

8

10

12

14

16

18

This resolve requires the Department of Professional and Financial Regulation, Bureau of Insurance to review existing mandated health insurance benefits in the same manner as it is currently required to review new proposals for mandated coverage. The bureau must report to the Joint Standing Committee on Insurance and Financial Services by January 15, 2004 on the social and financial impacts, the medical efficacy of mandating the benefit and the effects of balancing the social, economic and medical efficacy considerations and determine which of the existing mandates are to be repealed, amended or continued. The resolve requires the committee to submit legislation to repeal those mandates recommended for repeal in the bureau's report.