

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 779

H.P. 578

House of Representatives, February 18, 2003

**An Act To Repeal the Anthem Blue Cross Court Agreement of
Disbursement of \$88,000,000**

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative GOODWIN of Pembroke.
Cosponsored by Representative: DUGAY of Cherryfield.

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

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PART A

Sec. A-1. Assets turned over to General Fund. By October 1, 2003, the Maine Health Access Foundation, Inc., the charitable trust established upon the conversion of Blue Cross and Blue Shield of Maine pursuant to Public Law 1997, chapter 344, shall liquidate its assets and transfer those assets to the General Fund.

Sec. A-2. Dissolution of Maine Health Access Foundation. Upon transfer of its assets to the General Fund, the Maine Health Access Foundation, Inc. shall dissolve.

PART B

Sec. B-1. 5 MRSA §194-A. as amended by PL 2001, c. 550, Pt. B, §1, is repealed.

Sec. B-2. 5 MRSA §194-C, sub-§4, as enacted by PL 2001, c. 550, Pt. A, §2, is amended to read:

4. Applicability to nonprofit hospital or medical service organizations. This section, section 194-B and sections 194-D to 194-K do not apply to a corporation or other entity licensed under Title 24, chapter 19. ~~A conversion of a corporation or other entity licensed under Title 24, chapter 19 is governed by section 194-A and Title 24, section 2301, subsection 9-D.~~

Sec. B-3. 24 MRSA §2301, sub-§3-C, as enacted by PL 1997, c. 344, §2, is repealed.

Sec. B-4. 24 MRSA §2301, sub-§9-B, ¶A, as repealed and replaced by PL 1997, c. 344, §3, is repealed and the following enacted in its place:

A. A corporation subject to this chapter may become a mutual insurer under a plan and procedure approved by the superintendent after a hearing.

Sec. B-5. 24 MRSA §2301, sub-§9-D, as amended by PL 2001, c. 550, Pt. B, §2, is repealed.

Sec. B-6. 24 MRSA §2308-A. as enacted by PL 1997, c. 344, §5, is repealed.

Sec. B-7. PL 1997, c. 344, §11 is repealed.

2 **Sec. B-8. P&SL 1939, c. 24, §3,** as repealed and replaced by PL
3 1997, c. 344, §9, is repealed and the following enacted in its
4 place:

6 **Sec. 3. Purposes.** The corporation is organized for all
7 purposes and activities permitted to hospital or medical service
8 organizations under the Maine Revised Statutes, Title 24, chapter
9 19 and for all purposes and activities permitted to health
10 maintenance organizations under Title 24-A, chapter 56. Subject
11 to Title 24 and Title 24-A, the corporation has all of the
12 general powers of corporations under Title 13-B, section 202.

14 **Sec. B-9. Effective date.** This Part takes effect October 1,
15 2003.

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SUMMARY

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19 This bill repeals the law that allowed the conversion of the
20 former Blue Cross and Blue Shield of Maine from a nonprofit
21 hospital and medical service organization and public charity to a
22 for-profit stock company. It also requires the approximately
23 \$88,000,000 in assets resulting from the conversion to be turned
24 over to the General Fund by October 1, 2003.