

MAINE STATE LEGISLATURE

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Legislative Document

No. 619

H.P. 468

House of Representatives, February 8, 2007

An Act To Require All State Employees To Carry State Health Insurance

Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND

Clerk

Presented by Representative SAVIELLO of Wilton.

Cosponsored by Representatives: CEBRA of Naples, CRAY of Palmyra, LANSLEY of Sabattus, ROBINSON of Raymond, Senator: COURTNEY of York.

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

2 **Sec. 1. 5 MRSA §285, sub-§2**, as amended by PL 1991, c. 780, Pt. Y, §23, is
3 further amended to read:

4 **2. Coverage.** Each state employee to whom this section applies is eligible for a
5 group health plan as ~~provided in Title 24-A, sections 2802 to 2812, including major~~
6 ~~medical benefits or through a self-funded alternative~~ through the Dirigo Health Program
7 pursuant to Title 24-A, section 6910, subsection 4, paragraph D. The provisions of the
8 group insurance policy or policies ~~or the self-funded alternative~~ must be determined,
9 insofar as the provisions are not inconsistent with terms and conditions contained in
collective bargaining agreements negotiated pursuant to Title 26, chapter 9-B, by the
State Employee Health Commission as provided in section 285-A. The master policy for
the group health plan must be held by the Commissioner of Administrative and Financial
Services.

Sec. 2. 5 MRSA §285, sub-§3, as amended by PL 1987, c. 731, §3, is further
amended to read:

3. Enrollment. Any employee eligible under this section ~~may~~ shall join within the
first 60 days of employment or during a declared open enrollment period. The filing of
necessary applications ~~shall be~~ is the responsibility of the employer. Effective dates
under this section ~~shall be~~ are at the discretion of the commission.

Sec. 3. 5 MRSA §285, sub-§5, as amended by PL 1995, c. 368, Pt. G, §1, is
further amended to read:

26 **5. Purchase of policies.** The commission shall purchase, ~~by competitive bidding,~~
27 ~~from one or more insurance companies, nonprofit organizations, 3rd party administrators~~
28 ~~or any organization necessary to administer and provide a health plan through the Dirigo~~
29 ~~Health Program pursuant to Title 24-A, section 6910, subsection 4, paragraph D,~~ a policy
30 or policies or contract, to provide the benefits specified by this section. The purchase of
31 policies by the commission must be accomplished by use of a written contract ~~that must~~
32 ~~be fully executed within 90 calendar days of notification of bid acceptance from the~~
33 ~~commission to the insurer. In extenuating circumstances, the Commissioner of~~
34 ~~Administrative and Financial Services may grant a waiver to that 90 day limit.~~
35 ~~Notwithstanding this subsection, with the consent of the policyholder and of the insurer~~
36 ~~and at the sole discretion of the commission, existing policies of insurance covering at~~
37 ~~least 1,000 of the employees defined as eligible by this section may be amended to~~
38 ~~provide the benefits specified by this section and assigned to the Commissioner of~~
39 ~~Administrative and Financial Services for the benefit of all those eligible under this~~
40 ~~section. The company or companies or nonprofit organizations must be licensed under~~
~~the laws of the State, when applicable. The policy provisions are subject to and as~~
~~provided for by the insurance laws of this State, when applicable. Notwithstanding any~~
~~other provisions of law, the term of a contract executed with a successful bidder may not~~
~~exceed 3 years.~~

41 **Sec. 4. 5 MRSA §285, sub-§9**, as enacted by PL 1989, c. 776, §1, is repealed.

