

# 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)



# 124th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2010

---

Legislative Document

No. 1620

H.P. 1148

House of Representatives, December 23, 2009

---

### An Act To Protect Health Care Consumers from Catastrophic Debt

---

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 21, 2009. Referred to the Committee on Insurance and Financial Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative BERRY of Bowdoinham.  
Cosponsored by Senator BARTLETT of Cumberland and  
Representatives: BECK of Waterville, BLODGETT of Augusta, BOLAND of Sanford, BRIGGS of Mexico, BUTTERFIELD of Bangor, CAIN of Orono, CAMPBELL of Newfield, CASAVANT of Biddeford, CLARK of Millinocket, CROCKETT of Augusta, DRISCOLL of Westbrook, EVES of North Berwick, FLEMINGS of Bar Harbor, GILBERT of Jay, GOODE of Bangor, HASKELL of Portland, HINCK of Portland, HUNT of Buxton, LEGG of Kennebunk, LOVEJOY of Portland, MacDONALD of Boothbay, MAZUREK of Rockland, McCABE of Skowhegan, MILLER of Somerville, MITCHELL of the Penobscot Nation, MORRISON of South Portland, O'BRIEN of Lincolnville, PENDLETON of Scarborough, PEOPLES of Westbrook, Speaker PINGREE of North Haven, PRIEST of Brunswick, RICHARDSON of Warren, SMITH of Monmouth, STRANG BURGESS of Cumberland, TREAT of Hallowell, WAGNER of Lewiston, WATSON of Bath, WELSH of Rockport, WRIGHT of Berwick, Senators: ALFOND of Cumberland, BOWMAN of York, BRYANT of Oxford, GERZOFSKY of Cumberland, GOODALL of Sagadahoc, JACKSON of Aroostook, President MITCHELL of Kennebec, SIMPSON of Androscoggin, SULLIVAN of York.

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

2 **Sec. 1. 24-A MRSA c. 27-A is enacted to read:**

3 **CHAPTER 27-A**

4 **PROTECTION OF HEALTH INSURED FROM CATASTROPHIC RISK ACT**

5 **§2461. Short title**

6 This chapter may be known and cited as "the Protection of Health Insureds from  
7 Catastrophic Risk Act."

8 **§2462. Scope**

9 Notwithstanding any other provision of law, this chapter applies to all individual and  
10 group health plans covering residents of this State.

11 **§2463. Definitions**

12 As used in this chapter, unless the context otherwise indicates, the following terms  
13 have the following meanings.

14 1. **Carrier.** "Carrier" has the same meaning as in section 4301-A, subsection 3.

15 2. **Health plan.** "Health plan" has the same meaning as in section 4301-A,  
16 subsection 7.

17 **§2464. Prohibition against maximum aggregate benefit provisions**

18 1. **Prohibition.** A health plan issued or renewed on or after the effective date of this  
19 chapter may not include a provision in a policy, contract, certificate or agreement that  
20 purports to terminate payment of any additional claims for coverage of health care  
21 services after a defined maximum aggregate amount of claims for coverage of health care  
22 services on an annual, lifetime or other basis has already been paid under the health plan  
23 for coverage of an insured individual, family or group.

24 2. **Specific benefits.** This chapter may not be construed to limit the ability of a  
25 carrier to offer a health plan that limits benefits under the health plan for specified health  
26 care services on an annual basis.

27 **Sec. 2. Rulemaking.** The Superintendent of Insurance shall undertake rulemaking  
28 in accordance with the Maine Revised Statutes, Title 5, chapter 375 to amend any Bureau  
29 of Insurance rule that conflicts with this Act. Rules adopted pursuant to this section are  
30 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

31 **SUMMARY**

32 This bill prohibits health plans covering Maine residents from including provisions  
33 that terminate payment of further claims after a defined maximum specified aggregate

1 amount of health care claims has been paid on an annual, lifetime or other basis on behalf  
2 of an individual, family or group.