

# 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)

SMC  
RAS

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34

Date: 3/25/11 Minority

L.D. 60  
(Filing No. H-48)

**INSURANCE AND FINANCIAL SERVICES**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 53, L.D. 60, Bill, "An Act To Extend Coverage under the State's Mini-COBRA Law"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 24-A MRSA §2809-A, sub-§11, ¶A-1**, as enacted by PL 2009, c. 574, §1, is amended to read:

A-1. A member or employee is eligible for continued coverage under this section only if the member or employee's group insurance coverage terminated for one of the following reasons:

- (1) The member or employee was temporarily laid off;
- (2) The member or employee was permanently laid off on or after the effective date of this paragraph and is eligible for premium assistance pursuant to federal law providing premium assistance for laid-off employees who continue coverage under their former employer's group health plan as determined by the superintendent; or
- (3) The member or employee lost employment because of an injury or disease that the employee claims to be compensable under former Title 39 or Title 39-A.

**Sec. 2. 24-A MRSA §2809-A, sub-§11, ¶F**, as amended by PL 1991, c. 885, Pt. E, §30 and affected by §47, is further amended to read:

F. Except as provided in paragraph G, coverage provided under this section continues and may not be terminated until ~~one year~~ 18 months from the last day of work.

**Sec. 3. Application.** The requirements of this Act apply to a member or employee who, on or after the effective date of this Act, loses employment or who has group coverage pursuant to an election of continuation of coverage as described in the Maine Revised Statutes, Title 24-A, section 2809-A, subsection 11.'

**COMMITTEE AMENDMENT**

**SUMMARY**

This amendment is the minority report of the committee and replaces the bill.

Under existing federal and state law, employees who are laid off are eligible to continue health coverage under their employers' group health insurance plans at their own expense. The federal Consolidated Omnibus Budget Reconciliation Act of 1985, known as COBRA, contains provisions that apply to employers with 20 or more employees and generally allows coverage to continue for up to 18 months. Current state law, which applies to employers with fewer than 20 employees, allows the employee to continue coverage for up to 12 months. This amendment extends the availability of coverage up to 18 months for those eligible under state law. The amendment also removes the requirement that those employees who are permanently laid off must be eligible for federal premium assistance. The requirements of the amendment that extend availability of coverage apply to any member or employee who, on or after the effective date of the law, loses employment or has group coverage pursuant to an election of continuation of coverage pursuant to the provisions of the Maine Revised Statutes, Title 24-A, section 2809-A, subsection 11.

**FISCAL NOTE REQUIRED**

(See attached)



# 125th MAINE LEGISLATURE

LD 60

LR 214(02)

An Act To Extend Coverage under the State's Mini-COBRA Law

Fiscal Note for Bill as Amended by Committee Amendment "A"  
Committee: Insurance and Financial Services

Fiscal Note Required: Yes

---

## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Any additional costs to state agencies or programs is expected to be minor and can be absorbed utilizing existing budgeted resources.