

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 637

S.P. 227

In Senate, February 21, 2013

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### **An Act To Prohibit Consideration of Preexisting Conditions in Short-term Disability Insurance**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator TUTTLE of York.  
Cosponsored by Representative BECK of Waterville and  
Senators: CRAVEN of Androscoggin, DUTREMBLE of York, GERZOFKY of Cumberland,  
GRATWICK of Penobscot, JACKSON of Aroostook, PATRICK of Oxford, Representatives:  
BRIGGS of Mexico, TREAT of Hallowell.

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

2 **Sec. 1. 24-A MRSA §2829-B** is enacted to read:

3 **§2829-B. Short-term disability insurance policies**

4 **1. Preexisting condition exclusion defined.** As used in this section, "preexisting  
5 condition exclusion," with respect to coverage, means a limitation or exclusion of  
6 benefits relating to a condition based on the fact or perception that the condition was  
7 present, or that the person was at particularized risk of developing the condition, before  
8 the date of enrollment for coverage, whether or not any medical advice, diagnosis, care or  
9 treatment was recommended or received before that date.

10 **2. Limitations.** For any policy or contract subject to this chapter that provides  
11 short-term disability income benefits issued or renewed on or after January 1, 2014, an  
12 insurer may not:

13 A. Refuse to provide coverage to an otherwise eligible member of a group on the  
14 basis of a preexisting condition; or

15 B. Impose a preexisting condition exclusion on coverage for an otherwise eligible  
16 member of a group.

17 **SUMMARY**

18 This bill prohibits an insurer that issues group short-term disability insurance on or  
19 after January 1, 2014 from refusing to provide coverage on the basis of a preexisting  
20 condition and from imposing any exclusion on coverage based on that preexisting  
21 condition.