

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 659

S.P. 221

In Senate, February 28, 2017

**An Act To Amend the Maine Guaranteed Access Reinsurance
Association Act**

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

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator WHITTEMORE of Somerset.
Cosponsored by Representative FOLEY of Wells and
Senators: COLLINS of York, CUSHING of Penobscot, DAVIS of Piscataquis, DOW of
Lincoln, President THIBODEAU of Waldo, Representatives: CRAIG of Brewer, LAWRENCE
of South Berwick, PICCHIOTTI of Fairfield.

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

2 **Sec. 1. 24-A MRSA §3953, sub-§1**, as amended by PL 2015, c. 404, §1, is
3 further amended to read:

4 **1. Guaranteed access reinsurance mechanism established.** The Maine
5 Guaranteed Access Reinsurance Association is established as a nonprofit legal entity. As
6 a condition of doing business in the State, an insurer that has issued or administered
7 medical insurance within the previous 12 months or is actively marketing a medical
8 insurance policy or medical insurance administrative services in this State must
9 participate in the association. The Dirigo Health Program established in chapter 87 and
10 any other state-sponsored health benefit program shall also participate in the association.
11 Except as provided in section 3962, operations of the association are suspended and the
12 association may not collect assessments as provided in section 3957, provide reinsurance
13 for member insurers under section 3958 or provide reimbursement for member insurers
14 under section 3961 as of the date on which a transitional reinsurance program established
15 under the authority of Section 1341 of the federal Affordable Care Act commences
16 operations in this State until December 31, ~~2017~~ 2019.

17 **Sec. 2. Review of the Maine Guaranteed Access Reinsurance Association.**
18 The Superintendent of Insurance shall review the Maine Guaranteed Access Reinsurance
19 Association as established by the Maine Revised Statutes, Title 24-A, chapter 54-A; the
20 condition of Maine's health insurance market, including the individual, small group and
21 large group markets; and any changes to the federal Patient Protection and Affordable
22 Care Act and federal regulations adopted pursuant to that Act. Before February 15, 2019,
23 the superintendent shall make a recommendation to the joint standing committee of the
24 Legislature having jurisdiction over insurance and financial services matters as to
25 whether the Maine Guaranteed Access Reinsurance Association should resume
26 operations following its suspension pursuant to Title 24-A, section 3953, subsection 1
27 pursuant to a revised plan of operation or should terminate its operations and dissolve and
28 whether any changes should be made to the statutes governing the association in
29 connection with its continued operation or dissolution. The joint standing committee of
30 the Legislature having jurisdiction over insurance and financial services matters may
31 submit a bill relating to the Maine Guaranteed Access Reinsurance Association to the
32 First Regular Session of the 129th Legislature.

33 **SUMMARY**

34 This bill extends the suspension of the operations of the Maine Guaranteed Access
35 Reinsurance Association for 2 years, until December 31, 2019. The bill also directs the
36 Superintendent of Insurance to make a recommendation before February 15, 2019 to the
37 joint standing committee of the Legislature having jurisdiction over insurance and
38 financial services matters relating to the continued operation or dissolution of the
39 association.