

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1390

H.P. 1024

House of Representatives, April 7, 2021

**An Act To Maximize Health Care Coverage for the Uninsured
through Easy Enrollment in the MaineCare Program or in a
Qualified Health Plan in the Marketplace**

Received by the Clerk of the House on April 5, 2021. Referred to the Committee on Health Coverage, Insurance and Financial Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative EVANS of Dover-Foxcroft.
Cosponsored by Senator CLAXTON of Androscoggin and
Representatives: BROOKS of Lewiston, COLLINGS of Portland, HYMANSON of York,
ZAGER of Portland.

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

2 **Sec. 1. 22 MRSA §5412** is enacted to read:

3 **§5412. Easy enrollment program**

4 The easy enrollment program is established under this chapter to identify residents of
5 this State who are uninsured but qualify for benefits under the MaineCare program or a
6 qualified health plan in the marketplace.

7 **1. Tax checkoff.** A person filing a tax return in this State pursuant to Title 36, chapter
8 803 who has marked the relevant check-off boxes on the State income tax form as described
9 in Title 36, section 5293 is identified as a person who may be determined eligible for
10 benefits under the MaineCare program or to enroll in a qualified health plan in the
11 marketplace. The superintendent, in conjunction with the Department of Administrative
12 and Financial Services, Bureau of Revenue Services, shall determine by rule the
13 information necessary to be shared with the marketplace to determine eligibility and the
14 schedule regarding the frequency of transferring the information.

15 **2. Eligibility determination.** The marketplace shall determine whether the person
16 filing the tax return under subsection 1 has an address in the State and whether the persons
17 in the household indicated as uninsured are already enrolled in the MaineCare program or
18 a qualified health plan in the marketplace. The marketplace shall mail a notice to
19 households with an address in the State and with persons in the household who are
20 uninsured. The notice must notify the person filing the tax return that the person or other
21 uninsured members of the household may be eligible for health care coverage and provide
22 information about the special enrollment period available on the marketplace pursuant to
23 subsection 3 and that MaineCare enrollment is available at any time. If the person filing
24 the tax return has included an e-mail address, the marketplace shall also send an e-mail
25 notice.

26 **3. Special enrollment period; assistance; coverage begins.** A person filing a tax
27 return under subsection 1 who is determined eligible to enroll in a qualified health plan in
28 the marketplace has a special enrollment period that begins on the date of the tax filing and
29 ends 35 days from the date of the notice mailed by the marketplace to the person pursuant
30 to subsection 2. Once a person begins the application to enroll in a qualified health plan in
31 the marketplace, the marketplace shall provide assistance through follow-up e-mails or
32 other communications until the person is successfully enrolled or the marketplace
33 determines that the person does not wish to enroll. Coverage in the marketplace is effective
34 on the first day of the month after the date a plan is selected by the person.

35 **4. Medicaid coverage; coverage begins.** If the marketplace determines that any
36 member of the household is eligible for benefits under the MaineCare program under this
37 section, the marketplace shall notify the department and the person who filed the tax return
38 of the potential eligibility. The department shall contact the person who filed the tax return
39 and provide assistance with the MaineCare application unless the marketplace determines
40 that the person does not wish to enroll. For a person enrolled in the MaineCare program
41 under this section, coverage begins on the first day of the month in which the person applied
42 to enroll.

43 **5. Outreach efforts.** The marketplace, superintendent and department shall jointly
44 develop educational materials and programming to communicate the purpose of the income

1 tax checkoff under Title 36, section 5293 and the benefits of enrolling in the MaineCare
2 program or a qualified health plan in the marketplace to the public. The materials and
3 programming must include materials developed for different target groups in the public,
4 including, but not limited to, tax preparers, consumer assistance organizations, community
5 groups and underserved groups. The materials must be made available in English and in
6 languages appropriate for communities in the State whose primary languages are not
7 English.

8 **Sec. 2. 22 MRSA §5413** is enacted to read:

9 **§5413. Easy enrollment advisory group; data collection**

10 **1. Advisory group.** An advisory group is established to advise the superintendent on
11 state income tax changes including the format of check-off boxes on income tax forms
12 pursuant to Title 36, section 5293, effectiveness of the easy enrollment program under
13 section 5412, feasibility of automatic enrollment in health care plans, improvements to
14 outreach materials, issues related to necessary information required for establishing
15 eligibility while maintaining confidentiality and proposed changes to improve the program.
16 The superintendent is the chair and convenes the advisory group. The chair shall appoint
17 members to the advisory group, and members must include the stakeholders described in
18 section 5404, subsection 2, paragraph B and representatives of the Department of
19 Administrative and Financial Services, Bureau of Revenue Services and professional tax
20 preparers. The advisory group shall meet at least 3 times a year and as often as necessary
21 to carry out its advisory duties.

22 **2. Data collection.** The superintendent shall provide an annual report on the easy
23 enrollment program under section 5412 to the joint standing committee of the Legislature
24 having jurisdiction over health insurance matters and the joint standing committee of the
25 Legislature having jurisdiction over MaineCare matters. The report must include the
26 number of persons who marked the check-off boxes on tax returns as described in section
27 5412, subsection 1, the number determined eligible by the marketplace for benefits under
28 the MaineCare program or a qualified health plan in the marketplace, the number who
29 enrolled in the MaineCare program, the number who enrolled in qualified health plans in
30 the marketplace, how many enrolled in a qualified health plan in the marketplace who were
31 eligible for financial assistance and demographic data on enrollment. The report must be
32 submitted by November 15th of each year beginning in 2022 and contain data based on the
33 previous calendar year's tax return data.

34 **Sec. 3. 36 MRSA §191, sub-§2, ¶MMM** is enacted to read:

35 MMM. The disclosure of information to the Maine Health Insurance Marketplace and
36 the Superintendent of Insurance to administer the easy enrollment health insurance
37 program pursuant to Title 22, section 5412 and the health insurance check-off box
38 pursuant to section 5293.

39 **Sec. 4. 36 MRSA §5293** is enacted to read:

40 **§5293. Easy enrollment health insurance program; voluntary checkoff**

41 **1. Health insurance check-off box.** For tax years beginning on or after January 1,
42 2021, the State Tax Assessor shall provide on the income tax form a space for an easy
43 enrollment health insurance check-off box that includes the following:

