

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1041

H.P. 677

House of Representatives, March 7, 2023

**An Act to Ensure Dental Insurance Coverage for Certain Adults
with Disabilities**

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

Robert B. Hunt

ROBERT B. HUNT
Clerk

Presented by Representative MILLETT of Cape Elizabeth.
Cosponsored by Senator BALDACCI of Penobscot and
Representatives: ARFORD of Brunswick, CLUCHEY of Bowdoinham, MATHIESON of
Kittery, PERRY of Calais, Senator: RENY of Lincoln.

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

2 **Sec. 1. 24-A MRSA §2766**, as enacted by PL 2009, c. 578, §2 and affected by §4,
3 is amended to read:

4 **§2766. Enrollment of dependent children in dental coverage**

5 **1. Offer of dependent coverage; enrollment period.** All individual dental insurance
6 policies and contracts that offer dependent coverage must offer the opportunity to enroll a
7 dependent child in the dental insurance coverage at appropriate rates during the following
8 periods:

9 A. From birth to 30 days of age; ~~and~~

10 B. Any open or annual enrollment period; ~~and~~

11 C. At any time through a special enrollment period for a dependent child with a
12 disability in accordance with subsection 2.

13 **2. Mandatory offer of coverage for a dependent child with a disability.** An
14 individual dental insurance policy or contract that offers coverage for a dependent child
15 must offer such coverage, at the option of the policyholder, for a dependent child with a
16 disability, regardless of age. A policyholder shall furnish proof of a dependent child's
17 disability to the insurer within 31 days of enrollment and subsequently as may be required
18 by the insurer, but the insurer may not require proof more frequently than annually after
19 the 2-year period following the dependent child's initial enrollment. For the purposes of
20 this subsection, "disability" means a physical, mental, intellectual or developmental
21 disability that renders a person incapable of self-sustaining employment.

22 **Sec. 2. 24-A MRSA §2847-R**, as enacted by PL 2009, c. 578, §3 and affected by
23 §4, is amended to read:

24 **§2847-R. Enrollment of dependent children in dental coverage**

25 **1. Offer of dependent coverage; enrollment period.** All group dental insurance
26 policies, contracts and certificates that offer dependent coverage must offer the opportunity
27 to enroll a dependent child in the dental insurance coverage at appropriate rates during the
28 following periods:

29 A. From birth to 30 days of age; ~~and~~

30 B. Any open or annual enrollment period; ~~and~~

31 C. At any time through a special enrollment period for a dependent child with a
32 disability in accordance with subsection 2.

33 **2. Mandatory offer of coverage for a dependent child with a disability.** A group
34 dental insurance policy, contract or certificate that offers coverage for a dependent child
35 must offer such coverage, at the option of the parent, for a dependent child with a disability,
36 regardless of age. A parent shall furnish proof of a dependent child's disability to the
37 insurer within 31 days of enrollment and subsequently as may be required by the insurer,
38 but the insurer may not require proof more frequently than annually after the 2-year period
39 following the dependent child's initial enrollment. For the purposes of this subsection,
40 "disability" means a physical, mental, intellectual or developmental disability that renders
41 a person incapable of self-sustaining employment.

1 **SUMMARY**

2 This bill requires individual and group dental insurance policies, contracts and
3 certificates that offer coverage for a dependent child to offer coverage for dependent
4 children with disabilities who are unable to sustain themselves through employment in the
5 same manner as for a dependent child on a parent's health insurance coverage. The bill
6 requires that an insurer is required to offer coverage for a dependent child with a disability,
7 at the option of the policyholder, contract holder or certificate holder, regardless of age.