

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1404

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H.P. 900

House of Representatives, March 30, 2023

**An Act Requiring Insurance Companies to Cover the Care of  
Expectant Mothers in Adoption Cases and Provide Notice of That  
Coverage to Pregnant Women**

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

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

ROBERT B. HUNT  
Clerk

Presented by Representative MORRIS of Turner.  
Cosponsored by Representatives: ARATA of New Gloucester, HENDERSON of Rumford,  
PERRY of Bangor, QUINT of Hodgdon, WHITE of Waterville.

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

2 **Sec. 1. 18-C MRSA §9-306, sub-§1, ¶C**, as enacted by PL 2017, c. 402, Pt. A, §2  
3 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

4 C. Prenatal, birthing and other related medical expenses for the person giving birth to  
5 the child, including expenses related to health insurance coverage in accordance with  
6 Title 24-A, section 2742, subsection 4-A, section 2833, subsection 4-A or section 4234,  
7 subsection 4-A;

8 **Sec. 2. 24-A MRSA §2742, sub-§4-A** is enacted to read:

9 **4-A. Coverage for person giving birth to a child placed for adoption.** All  
10 individual policies issued in accordance with the requirements of this section must provide  
11 a policyholder with the coverage or option of coverage for a person giving birth to the  
12 policyholder's child prior to the child being placed for adoption for the duration of the  
13 pregnancy through the 12 months following a birth. Coverage must be provided for  
14 maternity and postpartum care as required by this Title under the same terms and conditions  
15 as are extended to a policyholder for a policyholder's own maternity and postpartum care.  
16 An insurer shall permit a policyholder to enroll the person giving birth to the policyholder's  
17 child placed for adoption upon the submission of documentation of the person's pregnancy  
18 and of the legal obligation of the certificate holder for the child being placed for adoption.  
19 For purposes of this subsection, "child being placed for adoption" includes only a child  
20 placed for adoption by a person experiencing an unplanned or unexpected pregnancy.

21 **Sec. 3. 24-A MRSA §2833, sub-§4-A** is enacted to read:

22 **4-A. Coverage for person giving birth to a child placed for adoption.** All group or  
23 blanket health insurance plans issued in accordance with the requirements of this section  
24 must provide a certificate holder with the coverage or option of coverage for a person  
25 giving birth to the certificate holder's child prior to the child being placed for adoption for  
26 the duration of the pregnancy through the 12 months following a birth. Coverage must be  
27 provided for maternity and postpartum care as required by this Title under the same terms  
28 and conditions as are extended to a certificate holder for a certificate holder's own maternity  
29 and postpartum care. An insurer shall permit a certificate holder to enroll the person giving  
30 birth to the certificate holder's child placed for adoption upon the submission of  
31 documentation of the person's pregnancy and of the legal obligation of the certificate holder  
32 for the child being placed for adoption. For purposes of this subsection, "child being placed  
33 for adoption" includes only a child placed for adoption by a person experiencing an  
34 unplanned or unexpected pregnancy.

35 **Sec. 4. 24-A MRSA §4234, sub-§4-A** is enacted to read:

36 **4-A. Coverage for person giving birth to a child placed for adoption.** All  
37 individual or group contracts issued in accordance with the requirements of this section  
38 must provide an enrollee with the coverage or option of coverage for a person giving birth  
39 to the enrollee's child prior to the child being placed for adoption for the duration of the  
40 pregnancy through the 12 months following a birth. Coverage must be provided for  
41 maternity and postpartum care as required by this Title under the same terms and conditions  
42 as are extended to an enrollee for an enrollee's own maternity and postpartum care. A health  
43 maintenance organization shall permit an enrollee to enroll the person giving birth to the  
44 enrollee's child placed for adoption upon the submission of documentation of the person's

1 pregnancy and of the legal obligation of the enrollee for the child being placed for adoption.  
2 For purposes of this subsection, "child being placed for adoption" includes only a child  
3 placed for adoption by a person experiencing an unplanned or unexpected pregnancy.

4 **SUMMARY**

5 This bill requires health insurance carriers to provide coverage under an individual or  
6 group health insurance policy of an adoptive parent for the person giving birth to the child,  
7 including maternity and postpartum coverage, for the duration of the pregnancy and  
8 through the 12 months following a birth. The bill clarifies that an adoptive parent may pay  
9 for the health insurance coverage for the person giving birth to the child as part of an  
10 adoption proceeding.