

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

CHAPTER 427

AN ACT Concerning the Appellate Division of the Supreme Judicial Court.
Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 15 MRSA § 2141, last ¶, as enacted by PL 1965, c. 419, § 1, is amended to read:

A designation by the Chief Justice of the members of the appellate division shall be recorded by the ~~clerk for criminal business in Kennebec County~~ **Administrative Assistant to the Chief Justice** who shall forthwith send copies thereof to the several clerks of the Superior Court.

Sec. 2. 15 MRSA § 2142, first ¶, 4th sentence, as enacted by PL 1965, c. 419, § 1, is amended to read:

The clerk shall forthwith notify ~~the Chief Justice~~ the justice who imposed the sentence appealed from and the appellate division of the filing of such an appeal.

Sec. 2. 15 MRSA § 2142, 2nd ¶, 4th sentence, as enacted by PL 1965, c. 419, § 1, is amended to read:

The clerk of the appellate division shall forthwith notify ~~the Chief Justice and~~ the justice who imposed the sentence appealed from of the final action by the appellate division on the appeal.

Sec. 3. 15 MRSA § 2143, first sentence, as enacted by PL 1965, c. 419, § 1, is amended to read:

If an appeal is dismissed, the clerk ~~for the county where the judgment was rendered~~ of the appellate division shall forthwith notify the appellant and the Warden of the State Prison in which the appellant is confined.

Effective October 1, 1975

CHAPTER 428

AN ACT Concerning the Coverage of Newborn Children under Certain Health Insurance Policies and Under Certain Hospital and Medical Service Organizations.

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

Sec. 1. 24 MRSA § 2318 is enacted to read:

§ 2318. Newborn children coverage

All individual and group nonprofit hospital and medical service organization contracts which provide coverage for a family member of the subscriber shall, as to such family members' coverage, also provide that the benefits applicable for children shall be applicable with respect to a newly born child from the moment of birth.

The coverage for newly born children shall consist of coverage of injury or sickness including the necessary care and treatment of medically diagnosed congenital defects and birth abnormalities.

If payment of a specific subscription fee is required to provide coverage for a child, the contract may require that notification of birth of a newly born child and payment of the required fees must be furnished to the nonprofit hospital or medical service organization within 31 days after the date of birth in order to have the coverage continue beyond such 31-day period.

The requirements of this section shall apply to all subscriber contracts delivered or issued for delivery in this State more than 120 days after the effective date of this Act.

Sec. 2. 24-A MRSA § 2741 is enacted to read:

§ 2741. Newborn children coverage

All individual health insurance policies providing coverage on an expense incurred basis which provide coverage for a family member of the insured or subscriber shall, as to such family members' coverage, also provide that the health insurance benefits applicable for children shall be payable with respect to a newly born child of the insured or subscriber from the moment of birth.

The coverage for newly born children shall consist of coverage of injury or sickness including the necessary care and treatment of medically diagnosed congenital defects and birth abnormalities.

If payment of a specific premium or subscription fee is required to provide coverage for a child, the policy or contract may require that notification of birth of a newly born child and payment of the required premium or fees must be furnished to the insurer or nonprofit service or indemnity corporation within 31 days after the date of birth in order to have the coverage continue beyond such 31-day period.

The requirements of this section shall apply to all policies delivered or issued for delivery in this State more than 120 days after the effective date of this Act.

Sec. 3. 24-A MRSA § 2832 is enacted to read:

§ 2832. Newborn children coverage

All group and blanket health insurance policies providing coverage on an expense incurred basis which provide coverage for a family member of the insured or subscriber shall, as to such family members' coverage, also provide that the health insurance benefits applicable for children shall be payable with respect to a newly born child of the insured or subscriber from the moment of birth.

The coverage for newly born children shall consist of coverage of injury or sickness including the necessary care and treatment of medically diagnosed congenital defects and birth abnormalities.

If payment of a specific premium or subscription fee is required to provide coverage for a child, the policy or contract may require that notification of birth of a newly born child and payment of the required premium or fees must be furnished to the insurer or nonprofit service or indemnity corporation within 31 days after the date of birth in order to have the coverage continue beyond such 31-day period.

The requirements of this section shall apply to all policies delivered or issued for delivery in this State more than 120 days after the effective date of this Act.

Sec. 4. Transitional provision. If any provision of this Act or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Act which can be given effect without the invalid provisions and to this end the provisions of this Act are declared hereby serviceable.

Effective October 1, 1975

CHAPTER 429

AN ACT to Reinstate the Insurance Premium Finance Company Act and to Amend the Notice of Consumer Right to Cure.

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

Sec. 1. 9 MRSA, Pt. 13, c. 381, §§ 4051 - 4069 are enacted to read:

PART 13

CHAPTER 381

THE INSURANCE PREMIUM FINANCE COMPANY ACT

§ 4051. Short title

This Act shall be known and may be cited as "The Insurance Premium Finance Company Act."

§ 4052. Definitions

As used in this Part, unless the context otherwise indicates, the following words and phrases shall have the following meanings.

1. **Authorized insurer and insurance contract.** "Authorized insurer and insurance contract" have the respective meanings assigned to them by the Maine Insurance Code, Title 24-A.

2. **Credit charge.** "Credit charge" means that amount by which the balance payable by the insured exceeds the principal balance.

3. **Insurance agent and insurance broker.** "Insurance agent and insurance broker" mean, respectively, an insurance agent or broker duly licensed as such under the Maine Insurance Code, Title 24-A.