

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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

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Augusta, Maine
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PUBLIC LAWS
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Policies and Health Care Contracts which Pay Benefits for those Procedures if Performed by a Physician.

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

Sec. 1. 24 MRSA § 2303-B is enacted to read:

§ 2303-B. Optional coverage for chiropractic services

Every nonprofit hospital or medical service organization which issues group health care contracts providing coverage for the services of a "physician" or "doctor" to residents of this State shall make available to groups with 50 or more members, coverage for services performed by a chiropractor to the extent the services are within the lawful scope of practice of a chiropractor licensed to practice in this State, provided the chiropractor performing the services has contracted with the organization under terms and conditions which the organization deems satisfactory to its membership.

Sec. 2. 24-A MRSA § 2746 is enacted to read:

§ 2746. Optional coverage for chiropractic services

Every insurer which issues or issues for delivery in this State group health policies, which provide coverage on an expense-incurred basis for the services of a "physician" or "doctor," shall make available to groups with 50 or more members such coverage for the comparable services of a chiropractor to the extent these services are within the lawful scope of practice of a chiropractor licensed to practice in this State.

Sec. 3. **Effective date.** This Act shall become effective on January 1, 1980.

Effective January 1, 1980

CHAPTER 336
S. P. 463 — L. D. 1429

AN ACT to Amend the Maine Automobile Insurance Cancellation Control Act.

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

Sec. 1. 24-A MRSA § 2916-A is enacted to read:

§ 2916-A. Nonrenewal—reasons

No notice of nonrenewal shall be issued, unless it is based upon a reason for which the policy could have been cancelled or unless it is based upon one or more of the following grounds which occurred during the 36-month period preceding the yearly anniversary date of the policy.

1. Convictions. When a named insured or any operator who either resides in the same household or customarily operates an automobile insured under the policy is convicted of any of the following:

A. Operating a motor vehicle while intoxicated or impaired by the consumption of alcohol or drugs;

B. Homicide or assault arising out of the use of the operation of a motor vehicle, criminal negligence in the use or operation of a motor vehicle resulting in the injury or death of another person or use or operation of a motor vehicle directly or indirectly in the commission of a felony;

C. Operating a motor vehicle in excess of the speed limit or in a reckless manner where injury or death results therefrom;

D. Operating a motor vehicle in excess of the speed limit or reckless driving or any combination thereof on 3 or more occasions;

E. Operating a motor vehicle insured under the policy without a valid license or registration in effect, except when the person convicted had possessed a valid license or registration which had expired and was subsequently renewed, or during a period of revocation or suspension thereof or in violation of the limitations set forth on the operator's license;

F. Operating a motor vehicle while attempting to avoid apprehension or arrest by a law enforcement officer;

G. Filing or attempting to file a false or fraudulent automobile insurance claim or knowingly aiding or abetting in the filing or attempted filing of any such claim;

H. Leaving the scene of an accident without reporting;

I. Filing a false document with the Secretary of State or the Motor Vehicle Division or using a license or registration obtained by filing a false document with the Secretary of State or the Motor Vehicle Division;

J. Operating a motor vehicle in a race or speed test; or

K. Knowingly permitting or authorizing an unlicensed driver to operate a motor vehicle insured under the policy.

2. Accidents. When a named insured or any other person who operates a motor vehicle insured under the policy is individually or are aggregately involved

in 2 or more vehicle accidents while operating a motor vehicle insured under the policy, resulting in either personal injury or property damage in excess of \$300. For the purpose of this subsection any of the following occurrences involving a motor vehicle operated by a named insured or such other person shall not be considered an accident when:

- A. The motor vehicle was struck from the rear;
- B. The motor vehicle was struck while parked;
- C. Only the operator of another motor vehicle involved in the accident was convicted of a crime, offense or violation contributing to the accident; or
- D. The named insured or other operator of the motor vehicle insured under the policy or the insurer thereof, was reimbursed by or on behalf of, a person responsible for the accident or has a judgment against that person.

When more than one motor vehicle in a household is insured by the same insurer, the number of accidents which would permit nonrenewal shall, for the aggregate, be increased by one for each additional motor vehicle insured.

3. Insurability. When there is a material change in the type of motor vehicle insured which so substantially increases the hazard insured against as to render the motor vehicle uninsurable in accordance with the insurer's underwriting standards in effect at the time the policy was issued or last renewed; provided that if the insured motor vehicle is uninsurable for physical damage coverages only, the insurer shall offer to renew the policy without the physical damage coverages.

Sec. 2. 24-A MRSA § 2920, last sentence, as amended by PL 1977, c. 694, § 426, is further amended to read:

Acting in conformity with the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II, the Insurance Superintendent shall **may** adopt rules and regulations for carrying out this section.

Effective September 14, 1979

CHAPTER 337

S. P. 331 — L. D. 965

AN ACT to Establish a Special License for Retired or Inactive Pharmacists.

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