

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST REGULAR SESSION**

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1989

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**1989**

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C. Group or blanket health insurance contracts.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective June 19, 1989.

**CHAPTER 354**

H.P. 428 - L.D. 593

**An Act to Require Notice of Termination of Policies Issued under an Assigned Risk Plan**

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

24-A MRSA §2924 is enacted to read:

**§2924. Assigned risk insurance plan**

If no payment for renewal of a policy has been received by the insurer 15 days prior to the expiration date of the policy, the insurer shall notify the insured in accordance with this section. Written notice shall be mailed or delivered to the named insured no less than 10 days prior to the expiration date. The notice shall state that the policy will terminate on the expiration date if the insurer does not receive payment by that date. A post-office department certificate of mailing is proof of mailing.

See title page for effective date.

**CHAPTER 355**

H.P. 1087 - L.D. 1509

**An Act to Provide Flexibility in the Laws on Residential Placement of Young Adults**

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

Sec. 1. 22 MRSA §7801, sub-§5 is enacted to read:

5. Residents under age of 18 years. Notwithstanding any age requirement, a person who is 17 years of age or older may be a resident in an adult foster home or boarding home without the home being required to be licensed as a children's home under chapter 1669 if the department determines that such a placement is in the best interests of that person.

Sec. 2. 22 MRSA §7902, sub-§1, as amended by PL 1985, c. 770, §7, is further amended to read:

1. **Rules promulgated.** The commissioner shall promulgate rules for boarding care facilities, which shall

include but need not be limited to rules pertaining to administration, staffing, the number of residents, the quality of care, the quality of treatment, if applicable, the health and safety of staff and residents, the rights of residents, community relations, the administration of medication, criteria for placement of residents who are 17 years of age or older and under 18 years and licensing procedures. There shall be separate rules promulgated for boarding homes and foster homes.

In establishing the rules for the administration of medication, the commissioner shall consider, among other factors, the general health of the persons likely to receive medication, the number of persons served by the facility and the number of persons employed by the facility. In the rules for the administration of medication established for boarding homes, the Department of Human Services shall require unlicensed personnel to have successfully completed a program of training and instruction approved by the department for the administration of medication which is not limited to in-service training.

Sec. 3. 22 MRSA §8107, sub-§3 is enacted to read:

3. Residents 18 years of age or older. A resident in a children's home may remain in that home after attaining the age of 18 years without the home being required to be licensed as a boarding care facility under chapter 1663 if the department determines that it is in the best interest of the resident.

See title page for effective date.

**CHAPTER 356**

H.P. 37 - L.D. 37

**An Act Providing for a Report on the Availability of Insurance and Level of Competition within the Insurance Industry in Maine and a Report on Insurance Rating Organizations in Maine**

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

Sec. 1. 24-A MRSA §2320-A is enacted to read:

**§2320-A. Competition and availability of insurance**

1. General review. The Superintendent of Insurance shall review annually each authorized insurer in each major line of insurance in the State for which a rating organization is authorized to file rates. Major lines of insurance shall include workers' compensation, private passenger automobile liability, private passenger automobile physical damage, commercial automobile liability, commercial automobile physical damage, commercial multiple peril, homeowners' liability, medical malpractice and fire insurance. In addition to the annual review of major lines, the superintendent may review individual insurers involved in those specific