

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 29, 1995

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

J.S. McCarthy Company
Augusta, Maine
1995

D. Employed in a program established under a certification issued by the United States Department of Justice under 18 United States Code, Section 1761.

Sec. 2. Application. Notwithstanding Public Law 1991, c. 885, Part A, section 10, the Maine Revised Statutes, Title 39-A, section 203 applies to eligibility for compensation for incapacity on or after the effective date of this Act regardless of the date of injury.

See title page for effective date.

CHAPTER 294

H.P. 973 - L.D. 1382

An Act to Strengthen the Laws Concerning Labeling and Advertising of Native Produce

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

Sec. 1. 7 MRSA §443-A, as amended by PL 1979, c. 731, §19, is repealed and the following enacted in its place:

§443-A. Native produce

1. Prohibition. Farm produce sold or offered for sale within the State may not be labeled or advertised as "native," "native-grown," "locally grown" or by a similar designation, unless that product was actually grown in the State.

2. Penalty. Violation of subsection 1 is a civil violation punishable by a fine of not less than \$200 nor more than \$300.

3. Burden of proof. The burden of proof concerning the origin of farm produce is on the seller. The burden may be met by written documentation showing the origin of farm produce.

4. Enforcement. This section is enforced by the Department of Agriculture, Food and Rural Resources.

See title page for effective date.

CHAPTER 295

S.P. 80 - L.D. 168

An Act to Clarify Insurance Coverage Regarding Breast

Reconstruction after Mastectomy Surgery

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

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

§2320-C. Coverage for mastectomy surgery

All individual and group nonprofit and medical services plan contracts and all nonprofit health care plan contracts providing coverage for mastectomy surgery must provide coverage for reconstruction of the breast on which surgery has been performed and surgery and reconstruction of the other breast to produce a symmetrical appearance if the patient elects reconstruction and in the manner chosen by the patient and the physician.

Sec. 2. 24-A MRSA §2731-A, as enacted by PL 1991, c. 333, §1, is repealed.

Sec. 3. 24-A MRSA §2745-C is enacted to read:

§2745-C. Coverage for mastectomy surgery

All individual health policies providing coverage for mastectomy surgery, except those designed to cover only specific diseases, hospital indemnity or accidental injury, must provide coverage for reconstruction of the breast on which surgery has been performed and surgery and reconstruction of the other breast to produce a symmetrical appearance if the patient elects reconstruction and in the manner chosen by the patient and the physician.

Sec. 4. 24-A MRSA §2837-C is enacted to read:

§2837-C. Coverage for mastectomy surgery

All group health policies providing coverage for mastectomy surgery, except those designed to cover only specific diseases, hospital indemnity or accidental injury, must provide coverage for reconstruction of the breast on which surgery has been performed and surgery and reconstruction of the other breast to produce a symmetrical appearance if the patient elects reconstruction and in the manner chosen by the patient and the physician.

Sec. 5. 24-A MRSA §4237 is enacted to read:

§4237. Coverage for mastectomy surgery

All individual or group coverage subject to this chapter that provides for mastectomy surgery must provide coverage for reconstruction of the breast on which surgery has been performed and surgery and reconstruction of the other breast to produce a