

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2004 to March 30, 2005**

**FIRST SPECIAL SESSION**  
**April 4, 2005 to June 18, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 17, 2005**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2005**

**§93-C. Liability insurance**

**1. Procurement of coverage.** An ambulance service may not be required to procure liability insurance coverage that exceeds the liability limits specified in Title 14, sections 8104-D and 8105 while acting as an emergency medical service as defined in Title 14, section 8102, subsection 1-A.

**2. Coverage required by insurer.** An insurer providing insurance to an ambulance service may not require coverage that exceeds the liability limits specified in subsection 1.

See title page for effective date.

**CHAPTER 399**

**H.P. 629 - L.D. 910**

**An Act To Include Regional  
Transportation Systems under the  
Maine Tort Claims Act**

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

**Sec. 1. 14 MRSA §8102, sub-§3,** as amended by PL 1997, c. 234, §1, is further amended to read:

**3. Political subdivision.** "Political subdivision" means any city, town, plantation, county, administrative entity or instrumentality created pursuant to Title 30-A, chapters 115 and 119, incorporated fire fighting unit that is organized under Title 13-B and is officially recognized by any authority created by statute, quasi-municipal corporation and special purpose district, including, but not limited to, any water district, sanitary district, hospital district, school district of any type, any volunteer fire association as defined in Title 30-A, section 3151, a transit district as defined in Title 30-A, section 3501, subsection 1, a regional transportation corporation as defined in Title 30-A, section 3501, subsection 2, and any emergency medical service.

See title page for effective date.

**CHAPTER 400**

**S.P. 555 - L.D. 1577**

**An Act To Modify Savings Offset  
Payments and To Clarify Certain  
Other Provisions of the Dirigo Health  
Act**

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

**PART A**

**Sec. A-1. 24-A MRSA §2735-A, sub-  
§§1-A and 3** are enacted to read:

**1-A. Notice of rate filings or rate increase on existing policies renewed in calendar year 2006.** Notwithstanding subsection 1, for existing policies renewed in calendar year 2006, an insurer offering individual health plans as defined in section 2736-C for plan years beginning in 2006 must provide written notice by first class mail of a rate filing to all affected policyholders at least 30 days before the effective date of any proposed increase in premium rates or any proposed rating formula or classification of risks or modification of any formula or classification of risks. The notice must also inform policyholders of their right to request a hearing pursuant to section 229 or a special rate hearing pursuant to section 2736, subsection 4 or Title 24, section 2321, subsection 5. The notice must show the proposed rate and state that the rate is subject to regulatory approval. An increase in premium rates may not be implemented until 30 days after the notice is provided.

This subsection is repealed January 1, 2007.

**3. Notice of rate increase on new business for calendar year 2006.** Notwithstanding subsection 2, for new business quoted in calendar year 2006 by an insurer offering individual health plans as defined in section 2736-C, the insurer must disclose any rate increase that the insurer anticipates implementing within the following 30 days. If the quote is in writing, the disclosure must also be in writing. If the increase is pending approval at the time of notice, the disclosure must include the proposed rate and state that it is subject to regulatory approval. If disclosure required by this subsection is not provided, an increase may not be implemented until at least 30 days after the date the quote is provided.

This subsection is repealed January 1, 2007.

**Sec. A-2. 24-A MRSA §2839-A, sub-  
§§1-A and 3** are enacted to read:

**1-A. Notice of rate increase on existing policies renewed in calendar year 2006.** Notwithstanding subsection 1, for existing policies renewed in calendar year 2006, an insurer offering group health insurance for 2006 plan years, except for accidental injury, specified disease, hospital indemnity, disability income, Medicare supplement, long-term care or other limited benefit group health insurance, must provide written notice by first class mail of a rate increase to all affected policyholders or others who are directly billed for group coverage at least 30 days before the