

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act Regarding Health Insurance Coverage for Persons under the Influence of Alcohol or Narcotics

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

Sec. 1. 24-A MRSA §2718, as amended by PL 1973, c. 585, §12, is further amended to read:

§ 2718. Optional policy provisions

Except as provided in section 2704, subsection 2, ~~no such~~ a policy delivered or issued for delivery to any person in this State ~~shall~~may not contain provisions respecting the matters set forth in sections 2719 to ~~2728;2727~~ unless such provisions are in the words in which the same appear in the applicable section, except that the insurer may, at its option, use in lieu of any such provision a corresponding provision of different wording approved by the superintendent ~~which~~that is not less favorable in any respect to the insured or the beneficiary. Any such provision contained in the policy ~~shall~~must be preceded individually by the appropriate caption or, at the option of the insurer, by such appropriate individual or group captions or subcaptions as the superintendent may approve.

Sec. 2. 24-A MRSA §2728, as enacted by PL 1969, c. 132, §1, is repealed.

Sec. 3. 24-A MRSA §2730, as enacted by PL 1969, c. 132, §1 and amended by c. 177, §47, is further amended to read:

§ 2730. Order of certain provisions

The provisions ~~which~~that are the subject of sections 2704 to 2716, and 2718 to ~~2728;2727~~ or any corresponding provisions ~~which~~that are used in lieu thereof in accordance with such sections ~~shall~~must be printed in the consecutive order of the provisions in such sections or, at the option of the insurer, any such provision may appear as a unit in any part of the policy, with other provisions to which it may be logically related, ~~provided that~~as long as the resulting policy ~~shall~~is not be in whole or in part unintelligible, uncertain, ambiguous, abstruse or likely to mislead a person to whom the policy is offered, delivered or issued.

SUMMARY

This bill repeals the provision in the Maine Insurance Code that allowed health insurers to insert a provision in a policy denying liability for loss sustained or contracted in consequence of the insured's being intoxicated or under the influence of any narcotic.

This bill also corrects cross-references to the repealed provision.