

§2850. Limitations on exclusion and waiting periods

1. Application. This section applies to individual, group and blanket medical insurance contracts subject to chapters 33 and 35, except Medicare supplement contracts, converted contracts issued under section 2809-A and contracts designed to cover specific diseases, hospital indemnity or accidental injury only.

[PL 1999, c. 256, Pt. L, §8 (AMD).]

1-A. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Date of enrollment" means the effective date of coverage or, if earlier, the first day of the waiting period for such coverage. [PL 2001, c. 258, Pt. E, §9 (NEW).]

B. "Preexisting condition exclusion," with respect to coverage, means a limitation or exclusion of benefits relating to a condition based on the fact or perception that the condition was present, or that the person was at particularized risk of developing the condition, before the date of enrollment for coverage, whether or not any medical advice, diagnosis, care or treatment was recommended or received before that date. [PL 2001, c. 258, Pt. E, §9 (NEW).]

[PL 2001, c. 258, Pt. E, §9 (RPR).]

2. Limitation. An individual, group or blanket contract issued by an insurer may not impose a preexisting condition exclusion. This subsection does not limit a carrier's ability to restrict enrollment in an individual contract to open enrollment and special enrollment periods in accordance with section 2736-C, subsection 11.

A. [PL 2019, c. 5, Pt. A, §16 (RP).]

B. [PL 2019, c. 5, Pt. A, §16 (RP).]

C. [PL 2019, c. 5, Pt. A, §16 (RP).]

D. [PL 2019, c. 5, Pt. A, §16 (RP).]

E. [PL 2019, c. 5, Pt. A, §16 (RP).]

F. [PL 2019, c. 5, Pt. A, §16 (RP).]

[PL 2019, c. 5, Pt. A, §16 (AMD).]

SECTION HISTORY

PL 1989, c. 867, §§8,10 (NEW). PL 1991, c. 695, §11 (AMD). PL 1993, c. 477, §A15 (AMD). PL 1993, c. 477, §F1 (AFF). PL 1993, c. 547, §4 (AMD). PL 1997, c. 370, §C5 (AMD). PL 1997, c. 445, §§28,29 (AMD). PL 1997, c. 445, §32 (AFF). PL 1999, c. 256, §§L8,9 (AMD). PL 2001, c. 258, §§D3,E9 (AMD). PL 2007, c. 199, Pt. A, §8 (AMD). PL 2009, c. 244, Pt. E, §7 (AMD). PL 2011, c. 364, §18 (AMD). PL 2019, c. 5, Pt. A, §16 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.