

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-SIX

H.P. 1348 - L.D. 2018

An Act to Amend the Requirements Governing Self-insurance Plans in the Paid Family and Medical Leave Benefits Program

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

Sec. 1. 26 MRSA §850-H, sub-§2, ¶A, as enacted by PL 2023, c. 412, Pt. AAA, §7, is repealed and the following enacted in its place:

A. If the private plan is in the form of self-insurance:

(1) The employer must furnish a bond to the State with a surety company authorized to transact business in the State, in the form, amount and manner required by the department;

(2) The department may not allow the pooling of risk among multiple employers; and

(3) The department shall allow multiple employers to share the cost of legal, accounting and 3rd-party administrator expenses as long as the arrangements do not result in pooling of risk;

Sec. 2. 26 MRSA §850-H, sub-§3, ¶E, as enacted by PL 2023, c. 412, Pt. AAA, §7, is amended to read:

E. Failure to submit reports or comply with other requirements as required by the commissioner by rule; ~~or~~

Sec. 3. 26 MRSA §850-H, sub-§3, ¶F, as enacted by PL 2023, c. 412, Pt. AAA, §7, is amended to read:

F. Failure to comply with this subchapter or the rules adopted pursuant to this subchapter; or

Sec. 4. 26 MRSA §850-H, sub-§3, ¶G is enacted to read:

G. In the case of a private plan in the form of self-insurance, the pooling of risk among multiple employers.

Sec. 5. Retroactivity. Notwithstanding the Maine Revised Statutes, Title 1, section 302, this Act applies retroactively to April 1, 2025.