

## **Determining Residency in Maine for Individual Health Insurance**

There are 2 definitions in Maine law that are relevant to the determination of who is a Maine resident for purposes of eligibility to purchase individual health insurance: “resident” and “legally domiciled”. See 24-A MRSA §2736-C, sub-§ 1, ¶¶ C-1 and C-2, <http://legislature.maine.gov/legis/statutes/24-A/title24-Asec2736-C.pdf>

Under the Maine Insurance Code, a “resident” is a person who is legally domiciled in Maine and has been for at least the last 60 days.

In order to be “legally domiciled”, a person has to live in this State and satisfy at least 2 criteria set forth in the law. The person must:

- Have a Maine driver’s license or nondriver identification card;
- Have a valid passport or visa and be lawfully admitted to the United States;
- Be registered to vote in Maine;
- Have a permanent dwelling place in Maine;
- Submit a written affidavit declaring the person’s intent to reside in Maine; and
- File an income tax return in Maine that declares the person is a Maine resident.