

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 the Maine Guaranteed Access Reinsurance Association

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

Sec. 1. 24-A MRSA §3953, sub-§1, as enacted by PL 2011, c. 90, Pt. B, §8, is amended to read:

1. Guaranteed access reinsurance mechanism established. The Maine Guaranteed Access Reinsurance Association is established as a nonprofit legal entity. As a condition of doing business in the State, an insurer that has issued or administered medical insurance within the previous 12 months or is actively marketing a medical insurance policy or medical insurance administrative services in this State must participate in the association. The Dirigo Health Program established in chapter 87 and any other state-sponsored health benefit program shall also participate in the association. From January 1, 2014 to December 31, 2016 or until such time as the transitional reinsurance program administered pursuant to the federal Affordable Care Act is terminated, the authority of the association granted by this chapter is suspended.

Sec. 2. Maine Guaranteed Access Reinsurance Association; amendment to plan of operation. On or before October 1, 2013, the Board of Directors of the Maine Guaranteed Access Reinsurance Association shall submit an amendment to the association's plan of operation to the Superintendent of Insurance for approval as provided in the Maine Revised Statutes, Title 24-A, section 3953, subsection 3 to implement the suspension of the operations of the association pursuant to this Act. In amending the plan of operation, the board of directors shall, at a minimum, explain how operations will be suspended, describe the actions necessary to pay reinsurance on qualified claims attributable to the time period prior to January 1, 2014 and describe the actions necessary to suspend assessments.

SUMMARY

This bill suspends the authority of the Maine Guaranteed Access Reinsurance Association from January 1, 2014 to December 31, 2016 or until such time as the transitional reinsurance program administered by the federal Department of Health and Human Services pursuant to the federal Patient Protection and Affordable Care Act is no longer operational. The bill also directs the Board of Directors of the Maine Guaranteed Access Reinsurance Association to amend the association's plan of operation and submit the amendment on or before October 1, 2013 to the Superintendent of Insurance for approval. The amended plan of operation must include, but is not limited to, an explanation of how operations will be suspended, the actions necessary to pay reinsurance on qualified claims attributable to the time period prior to January 1, 2014 and the actions necessary to suspend assessments.