

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

## **An Act To Repeal the Maine Guaranteed Access Reinsurance Association Act**

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

**Sec. 1. 5 MRSA §12004-G, sub-§14-H**, as corrected by RR 2011, c. 1, §6, is amended to read:

**14-H.**

Health Care	Board of Directors of the Maine Guaranteed Access Reinsurance Association	Expenses Only	24-A MRSA §3953
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This subsection is repealed January 1, 2019.

**Sec. 2. 24-A MRSA §2736-C, sub-§3, ¶E**, as amended by PL 2011, c. 621, §1, is further amended to read:

E. As part of the application process for individual health coverage, a carrier shall require an individual to complete the health statement developed by the Board of Directors of the Maine Guaranteed Access Reinsurance Association pursuant to section 3955, subsection 1, paragraph E. A carrier may not deny coverage or refuse to renew or cancel an individual health plan on the basis of an individual's complete or incomplete health statement, claims history or risk scores or on the basis of any omission of material information from a health statement or misrepresentation of an individual's health status. The rejection of an application for individual health coverage by a carrier because an individual has not submitted a completed health statement is not a denial of coverage for the purposes of this paragraph.

This paragraph is repealed January 1, 2019.

**Sec. 3. 24-A MRSA §3963** is enacted to read:

### **§ 3963. Repeal**

This chapter is repealed January 1, 2019.

**Sec. 4. Evaluation of Maine Guaranteed Access Reinsurance Association.** During the First Regular Session of the 128th Legislature, the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters shall conduct a review and evaluation of the transitional reinsurance program operating in the State between January 1, 2014 and December 31, 2016 pursuant to the federal Patient Protection and Affordable Care Act and federal regulations adopted pursuant to that Act and the differences between the transitional reinsurance program and the Maine

Guaranteed Access Reinsurance Association as established by the Maine Revised Statutes, Title 24-A, chapter 54-A. Before January 1, 2018, the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters shall make a recommendation to the Superintendent of Insurance as to whether the Maine Guaranteed Access Reinsurance Association should resume operations pursuant to a revised plan of operation and whether any changes should be made to the statutes governing the association. The joint standing committee of the Legislature having jurisdiction over insurance and financial services matters may submit a bill based on its evaluation to the Second Regular Session of the 128th Legislature.

## **SUMMARY**

This bill repeals the Maine Guaranteed Access Reinsurance Association Act, effective January 1, 2019. Prior to the repeal, it requires the joint standing committee having jurisdiction over insurance and financial services matters to review and evaluate the transitional reinsurance program operating in the State between January 1, 2014 and December 31, 2016 pursuant to the federal Patient Protection and Affordable Care Act and federal regulations adopted pursuant to that Act and the differences between the transitional reinsurance program and the Maine Guaranteed Access Reinsurance Association and recommend to the Superintendent of Insurance whether the Maine Guaranteed Access Reinsurance Association should resume operations. The committee is authorized to submit a bill to the Second Regular Session of the 128th Legislature based on the committee's evaluation.