



# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 653

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H.P. 480

House of Representatives, March 3, 2021

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**An Act To Provide Maine Residents Losing Employer-based Health Coverage with Information about Other Coverage**

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Received by the Clerk of the House on March 1, 2021. Referred to the Committee on Health Coverage, Insurance and Financial Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative ARFORD of Brunswick.  
Cosponsored by Senator SANBORN of Cumberland and  
Representatives: BROOKS of Lewiston, EVANS of Dover-Foxcroft, MATHIESON of Kittery,  
TEPLER of Topsham, Senators: CARNEY of Cumberland, KEIM of Oxford, STEWART of  
Aroostook.

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

2 **Sec. 1. 24-A MRSA §2809-A, sub-§1-B**, as amended by PL 2007, c. 199, Pt. F,  
3 §1, is further amended to read:

4 **1-B. Notification of availability of individual coverage.** An insurer shall provide  
5 forms to group policyholders, and certificate holders when required by subsection 1-A, for  
6 the purpose of informing terminating group members of their right to purchase any  
7 individual health plan available in this State, including their eligibility for any special  
8 enrollment period to purchase an individual health plan pursuant to the federal Affordable  
9 Care Act, and of the availability of public health coverage options available in this State,  
10 including but not limited to MaineCare coverage. An adequate supply of forms must be  
11 provided to each group policyholder when the policy is issued and at least annually after  
12 the policy is issued. The superintendent may prescribe the content of the form by routine  
13 technical rule pursuant to Title 5, chapter 375, subchapter 2-A. The form must include at  
14 least the following:

15 A. A statement that all state residents not eligible for Medicare have a right to purchase  
16 any individual health plan available in this State;

17 B. A statement that in order to avoid a gap in coverage, the individual should apply  
18 for individual coverage prior to termination of group coverage;

19 ~~C. A statement that if more than 90 days pass between the time the group coverage~~  
20 ~~ends and the time individual coverage begins, the individual coverage may exclude~~  
21 ~~preexisting conditions for one year; and~~

22 D. A statement that information concerning individual coverage is available from the  
23 Bureau of Insurance. The bureau's toll-free telephone number must also be provided;

24 E. A statement that termination of coverage may be a qualifying life event for a special  
25 enrollment period to purchase an individual health plan. The length of time for the  
26 relevant special enrollment period and the dates for the next annual open enrollment  
27 must also be provided;

28 F. A statement that financial assistance may be available to eligible individuals to  
29 purchase a qualified health plan through the Maine Health Insurance Marketplace  
30 established in Title 22, section 5403. The marketplace's publicly accessible website  
31 and the toll-free telephone number must also be provided;

32 G. A statement that eligible individuals may qualify for free health coverage through  
33 MaineCare. The MaineCare program's publicly accessible website and toll-free  
34 telephone number must also be provided; and

35 H. A statement that the individual may contact the Health Insurance Consumer  
36 Assistance Program established in section 4326 for help obtaining health insurance  
37 coverage, including additional information and assistance enrolling in coverage. The  
38 program's publicly accessible website, toll-free telephone number and e-mail address  
39 must also be provided.

## 40 **SUMMARY**

41 This bill requires insurers, when terminating group health coverage, to provide  
42 information to policyholders, including employers, that can be shared with group members

1 about their eligibility for any special enrollment period to purchase an individual health  
2 plan pursuant to the federal Affordable Care and Patient Protection Act and about the  
3 availability of public health coverage options like MaineCare. The bill also adds minimum  
4 requirements as to the content of the form provided to policy holders.