



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1404

H.P. 900

House of Representatives, March 30, 2023

**An Act Requiring Insurance Companies to Cover the Care of
Expectant Mothers in Adoption Cases and Provide Notice of That
Coverage to Pregnant Women**

Reference to the Committee on Health Coverage, Insurance and Financial Services
suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MORRIS of Turner.
Cosponsored by Representatives: ARATA of New Gloucester, HENDERSON of Rumford,
PERRY of Bangor, QUINT of Hodgdon, WHITE of Waterville.

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

2 **Sec. 1. 18-C MRSA §9-306, sub-§1, ¶C**, as enacted by PL 2017, c. 402, Pt. A, §2
3 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

4 C. Prenatal, birthing and other related medical expenses for the person giving birth to
5 the child, including expenses related to health insurance coverage in accordance with
6 Title 24-A, section 2742, subsection 4-A, section 2833, subsection 4-A or section 4234,
7 subsection 4-A;

8 **Sec. 2. 24-A MRSA §2742, sub-§4-A** is enacted to read:

9 **4-A. Coverage for person giving birth to a child placed for adoption.** All
10 individual policies issued in accordance with the requirements of this section must provide
11 a policyholder with the coverage or option of coverage for a person giving birth to the
12 policyholder's child prior to the child being placed for adoption for the duration of the
13 pregnancy through the 12 months following a birth. Coverage must be provided for
14 maternity and postpartum care as required by this Title under the same terms and conditions
15 as are extended to a policyholder for a policyholder's own maternity and postpartum care.
16 An insurer shall permit a policyholder to enroll the person giving birth to the policyholder's
17 child placed for adoption upon the submission of documentation of the person's pregnancy
18 and of the legal obligation of the certificate holder for the child being placed for adoption.
19 For purposes of this subsection, "child being placed for adoption" includes only a child
20 placed for adoption by a person experiencing an unplanned or unexpected pregnancy.

21 **Sec. 3. 24-A MRSA §2833, sub-§4-A** is enacted to read:

22 **4-A. Coverage for person giving birth to a child placed for adoption.** All group or
23 blanket health insurance plans issued in accordance with the requirements of this section
24 must provide a certificate holder with the coverage or option of coverage for a person
25 giving birth to the certificate holder's child prior to the child being placed for adoption for
26 the duration of the pregnancy through the 12 months following a birth. Coverage must be
27 provided for maternity and postpartum care as required by this Title under the same terms
28 and conditions as are extended to a certificate holder for a certificate holder's own maternity
29 and postpartum care. An insurer shall permit a certificate holder to enroll the person giving
30 birth to the certificate holder's child placed for adoption upon the submission of
31 documentation of the person's pregnancy and of the legal obligation of the certificate holder
32 for the child being placed for adoption. For purposes of this subsection, "child being placed
33 for adoption" includes only a child placed for adoption by a person experiencing an
34 unplanned or unexpected pregnancy.

35 **Sec. 4. 24-A MRSA §4234, sub-§4-A** is enacted to read:

36 **4-A. Coverage for person giving birth to a child placed for adoption.** All
37 individual or group contracts issued in accordance with the requirements of this section
38 must provide an enrollee with the coverage or option of coverage for a person giving birth
39 to the enrollee's child prior to the child being placed for adoption for the duration of the
40 pregnancy through the 12 months following a birth. Coverage must be provided for
41 maternity and postpartum care as required by this Title under the same terms and conditions
42 as are extended to an enrollee for an enrollee's own maternity and postpartum care. A health
43 maintenance organization shall permit an enrollee to enroll the person giving birth to the
44 enrollee's child placed for adoption upon the submission of documentation of the person's

1 pregnancy and of the legal obligation of the enrollee for the child being placed for adoption.
2 For purposes of this subsection, "child being placed for adoption" includes only a child
3 placed for adoption by a person experiencing an unplanned or unexpected pregnancy.

4 **SUMMARY**

5 This bill requires health insurance carriers to provide coverage under an individual or
6 group health insurance policy of an adoptive parent for the person giving birth to the child,
7 including maternity and postpartum coverage, for the duration of the pregnancy and
8 through the 12 months following a birth. The bill clarifies that an adoptive parent may pay
9 for the health insurance coverage for the person giving birth to the child as part of an
10 adoption proceeding.