

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 Provide Flexibility in Health Insurance for Spouses under the State Employee Health Insurance Plan

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

Sec. 1. 5 MRSA §285, sub-§3-B, ¶A, as enacted by PL 2001, c. 641, §1, is amended to read:

A. Upon retirement, the retiree may enroll a spouse and dependent or dependents for coverage under the plan effective on the date of retirement; ~~or~~

Sec. 2. 5 MRSA §285, sub-§3-B, ¶B, as enacted by PL 2001, c. 641, §1, is amended to read:

B. Subsequent to retirement, the retiree may enroll a spouse and dependent or dependents for coverage under the plan if:

(1) At the time of retirement, the retiree designated in writing the name of the spouse and dependent or dependents to be enrolled at a future date; and

(2) The spouse and dependent or dependents can demonstrate coverage for at least 18 months immediately prior to enrollment under another health insurance plan or can demonstrate that health insurance coverage for that person pursuant to the federal Consolidated Omnibus Budget Reconciliation Act of 1985 under a prior plan has been exhausted; or

Sec. 3. 5 MRSA §285, sub-§3-B, ¶C is enacted to read:

C. Subsequent to retirement, if a spouse obtains health insurance from an employer, that spouse may make a one-time election to leave the plan and be eligible to enroll at a future date. The spouse must demonstrate coverage for at least 18 months immediately prior to enrollment under the plan under another health insurance plan or under the federal Consolidated Omnibus Budget Reconciliation Act of 1985.

SUMMARY

This bill proposes a new health insurance coverage option for the spouse of a retiree under the State's group health plan. The new option applies to a spouse that has his or her own coverage at the time of retirement. Currently, if a spouse enrolls under the retiree's plan at the time of retirement and subsequently changes jobs and the new employer provides paid health insurance, that spouse, if the spouse decides to leave the State's group health plan, does not have the option to return when the new employer's paid plan is no longer in effect. Under the bill, the spouse is given a one-time election to leave the State's group health plan and have a one-time opportunity to return to the State's group health plan.