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An Act To Require Legislators and Their Dependents To Be Enrolled in Dirigo Health

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

Sec. 1. 5 MRSA §285, sub-§2, as amended by PL 1991, c. 780, Pt. Y, §23, is further amended to read:

2. Coverage. Each state employee to whom this section applies is eligible for a group health plan as provided in Title 24-A, sections 2802 to 2812, including major medical benefits or through a self-funded alternative, except that eligible Legislators must be enrolled in the Dirigo Health Program pursuant to Title 24-A, section 6910, subsection 4, paragraph D. The provisions of the group insurance policy or policies or the self-funded alternative must be determined, insofar as the provisions are not inconsistent with terms and conditions contained in collective bargaining agreements negotiated pursuant to Title 26, chapter 9-B, by the State Employee Health Commission as provided in section 285-A. The master policy for the group health plan must be held by the Commissioner of Administrative and Financial Services.

Sec. 2. 5 MRSA §285, sub-§5, as amended by PL 1995, c. 368, Pt. G, §1, is further amended to read:

5. Purchase of policies. TheExcept as provided for eligible Legislators in subsection 2, the commission shall purchase, by competitive bidding, from one or more insurance companies, nonprofit organizations, 3rd-party administrators or any organization necessary to administer and provide a health plan, a policy or policies or contract, to provide the benefits specified by this section. The purchase of policies by the commission must be accomplished by use of a written contract that must be fully executed within 90 calendar days of notification of bid acceptance from the commission to the insurer. In extenuating circumstances, the Commissioner of Administrative and Financial Services may grant a waiver to that 90-day limit. Notwithstanding this subsection, with the consent of the policyholder and of the insurer and at the sole discretion of the commission, existing policies of insurance covering at least 1,000 of the employees defined as eligible by this section may be amended to provide the benefits specified by this section and assigned to the Commissioner of Administrative and Financial Services for the benefit of all those eligible under this section. The company or companies or nonprofit organizations must be licensed under the laws of the State, when applicable. The policy provisions are subject to and as provided for by the insurance laws of this State, when applicable. Notwithstanding any other provisions of law, the term of a contract executed with a successful bidder may not exceed 3 years.

Sec. 3. 24-A MRSA §6910, sub-§4, ¶D is enacted to read:

D. Dirigo Health shall contract with the State Employee Health Commission established in Title 5, section 285-A to arrange for health benefits coverage for eligible Legislators and their dependents pursuant to Title 5, section 285. Notwithstanding section 6903, subsection 5, Legislators and their dependents must be enrolled in Dirigo Health in the same manner as an eligible business.

Sec. 4. Initial contract. The State Employee Health Commission shall enroll Legislators and their dependents in Dirigo Health for group health coverage in accordance with the Maine Revised Statutes, Title 24-A, section 6910, subsection 4, paragraph D beginning on April 1, 2009 or upon the expiration of the current annual contract for group health coverage, whichever occurs first.

SUMMARY

This bill is being introduced by the Joint Standing Committee on Insurance and Financial Services pursuant to its authority under Resolve 2007, chapter 112. The bill requires that Legislators and their dependents be enrolled in the same manner as an eligible business in the Dirigo Health Program. Under current law, Legislators may enroll in group health coverage through the state employee health plan.