



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 537

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H.P. 356

House of Representatives, February 19, 2013

### **An Act To Help Maine Residents Receive Private Health Care Insurance**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative PARRY of Arundel.  
Cosponsored by Senator HAMPER of Oxford and  
Representatives: CASSIDY of Lubec, CHASE of Wells, HARVELL of Farmington,  
MALABY of Hancock, SANDERSON of Chelsea, SIROCKI of Scarborough, Senators:  
MASON of Androscoggin, TUTTLE of York.

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

2 Sec. 1. 22 MRSA §18-A is enacted to read:

3 **§18-A. Enrollment in employer-sponsored health insurance; conditions of eligibility**

4 **1. Condition for eligibility.** The department shall require, as a condition of being or  
5 remaining eligible for medical assistance, an individual otherwise entitled to medical  
6 assistance under this Title to apply for enrollment in an employer-sponsored group health  
7 plan in which the individual or the individual's dependents, including dependents up to 26  
8 years of age, are otherwise eligible to be enrolled.

9 **2. Private health insurance premium program.** Except as otherwise provided in  
10 section 18, the department is not responsible for payments of any premiums, deductibles,  
11 coinsurance and other cost-sharing obligations of an individual under an employer-  
12 sponsored group health plan under subsection 1.

13 **3. Treatment of employer-sponsored group health plan.** If an individual is  
14 enrolled in an employer-sponsored group health plan as required under this section, the  
15 department shall treat coverage under the group health plan as the primary coverage and  
16 any medical assistance to which the individual or any dependents are entitled under this  
17 Title is secondary coverage.

18 **4. Acceptance of cash, benefits or other consideration from employer.** An  
19 individual eligible for or receiving medical assistance under this Title may not accept any  
20 cash, benefit or other consideration from an employer in return for not enrolling in the  
21 employer's group health plan.

22 **5. No limit on medical assistance.** This section may not be construed to limit the  
23 benefits for medical assistance available to an individual otherwise entitled to medical  
24 assistance under this Title.

25 **SUMMARY**

26 This bill provides that, as a condition of eligibility for MaineCare, individuals must  
27 apply for enrollment in an employer's group health plan. The bill makes clear that the  
28 employer's group health plan is the primary coverage and any MaineCare benefits are  
29 secondary.