

§2152-B. Unfair solicitation methods

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Cold lead advertising" means making use directly or indirectly of a method of marketing that fails to disclose in a conspicuous manner that a purpose of the marketing is insurance sales solicitation and that contact will be made by an insurance producer or insurance company. [PL 2007, c. 53, §1 (NEW).]

B. "Medicare products" includes Medicare Part A, Medicare Part B, Medicare Part C, Medicare Part D, Medicare Advantage and Medicare supplement plans. [PL 2007, c. 53, §1 (NEW).]
[PL 2007, c. 53, §1 (NEW).]

2. Unfair solicitation methods. It is an unfair trade practice under this chapter for an insurer or producer to:

A. Sell, solicit or negotiate the purchase of health insurance in this State through the use of cold lead advertising; [PL 2007, c. 53, §1 (NEW).]

B. Use an appointment that was made to discuss Medicare products or to solicit the sale of Medicare products in order to solicit sales of life insurance, health insurance or annuity products unless the consumer requests such solicitation and the products to be discussed are clearly identified to the consumer in writing at least 48 hours in advance of the appointment; [PL 2023, c. 243, §2 (AMD).]

C. Solicit the sale of Medicare products door-to-door prior to receiving an invitation from a consumer; and [PL 2023, c. 243, §2 (AMD).]

D. Use an advertisement, solicitation, informational brochure, mailer or other promotional material using the terms "Medicare," "Medicaid" or "MaineCare" that mimics or implies that it is an official document from a state or federal agency. [PL 2023, c. 243, §2 (NEW).]
[PL 2023, c. 243, §2 (AMD).]

SECTION HISTORY

PL 2007, c. 53, §1 (NEW). PL 2023, c. 243, §2 (AMD).

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