

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 Allow Health Insurance Premiums To Vary Based on Behaviors Pertaining to Health

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

Sec. 1. 24-A MRSA §2762 is enacted to read:

§ 2762. Health behaviors

1. Premium adjustment. An insurer may increase a premium on an individual health policy by an amount not to exceed 25% of the baseline premium if an insured exhibits adverse health-related behaviors listed in subsection 2.

2. Adverse health-related behaviors. An insurer may increase a premium under subsection 1 if an insured exhibits one of the following adverse health-related behaviors:

A. Smoking;

B. Failure to adhere to a regular fitness regimen appropriate to the insured and approved by a physician;

C. Failure to adhere to a physician-prescribed medication regimen; and

D. Abuse of alcohol, including but not limited to a conviction of operating under the influence under Title 29-A, section 2411 within the prior 3 years before assessing the premium.

Sec. 2. 24-A MRSA §2847-M is enacted to read:

§ 2847-M. Health behaviors

1. Premium adjustment. An insurer may increase a premium on a group policy, contract or certificate by an amount not to exceed 25% of the baseline premium if an insured exhibits adverse health-related behaviors listed in subsection 2.

2. Adverse health-related behaviors. An insurer may increase a premium under subsection 1 if an insured exhibits one of the following adverse health-related behaviors:

A. Smoking;

B. Failure to adhere to a regular fitness regimen appropriate to the insured and approved by a physician;

C. Failure to adhere to a physician-prescribed medication regimen; and

D. Abuse of alcohol, including but not limited to a conviction of operating under the influence under Title 29-A, section 2411 within the prior 3 years before assessing the premium.

SUMMARY

This bill allows insurers to increase the premiums of individual health policies and group policies based upon adverse health-related behaviors of the insured, including smoking, not exercising, not taking prescribed medication and abusing alcohol.