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## **An Act To Extend Access to Federal Health Insurance Premium Assistance**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the American Recovery and Reinvestment Act of 2009 provided health insurance premium assistance for a period of 9 months to persons laid off from September 1, 2008 to December 31, 2009 and eligible for continuation of health insurance coverage under state law; and

**Whereas,** persons eligible for continuation of health insurance coverage under state law must be provided a 2nd election period to qualify for premium assistance through the American Recovery and Reinvestment Act of 2009; and

**Whereas,** Public Law 2009, chapter 244, Part J, section 1 provided a 2nd election period to conform to federal law; and

**Whereas,** the federal Department of Defense Appropriations Act, 2010 extends the eligibility period for the premium assistance for an additional 2 months through February 28, 2010 and extends premium assistance to 15 months; and

**Whereas,** the federal Temporary Extension Act of 2010 extends the eligibility period for premium assistance for an additional month through March 31, 2010; and

**Whereas,** immediate enactment of this Act is necessary to allow laid-off employees who receive premium assistance to qualify for the extended premium assistance; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. Extension of current coverage.** Insurers and health maintenance organizations that issued health insurance coverage during a 2nd election period required by Public Law 2009, chapter 244, Part J, section 1 and that included a 9-month coverage limit as required by that section shall extend that coverage by eliminating the 9-month limit. Such coverage may not be terminated except as provided by the Maine Revised Statutes, Title 24A, section 2809A, subsection 11, paragraphs F and G.

**Sec. 2. Notice requirement.** Insurers and health maintenance organizations that provide group health insurance policies subject to the requirements of the Maine Revised Statutes, Title 24A, section 2809A, subsection 11 shall provide notice, as required by Sections 3001(a)(7)(A)(ii) and 300(a)(16)(D) (i) of the American Recovery and Reinvestment Act of 2009 as amended by the federal Department of Defense Appropriations Act, 2010, Section 1010 and the federal Temporary Extension Act of 2010, Section 3. The notice must be provided by first-class mail in a form acceptable to the Superintendent of

Insurance to eligible employees whose employment terminated between September 1, 2008 and March 31, 2010 and who have elected to continue coverage pursuant to Title 24-A, section 2809-A, subsection 11 and to any eligible employees whose employment terminates after March 31, 2010 who are eligible for premium assistance as provided by that section of this Act relating to future extensions.

**Sec. 3. Future extensions.** If the Superintendent of Insurance determines that the American Recovery and Reinvestment Act of 2009 is amended to extend premium assistance to individuals whose coverage terminates after March 31, 2010, the requirements of section 2 apply to those individuals.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective 90 days following adjournment of the 124th  
Legislature, Second Regular Session, unless otherwise indicated.