



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 659

S.P. 221

In Senate, February 24, 2017

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**An Act To Amend the Maine Guaranteed Access Reinsurance  
Association Act**

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Received by the Secretary of the Senate on February 22, 2017. Referred to the Committee on Insurance and Financial Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator WHITTEMORE of Somerset.  
Cosponsored by Representative FOLEY of Wells and  
Senators: COLLINS of York, CUSHING of Penobscot, DAVIS of Piscataquis, DOW of  
Lincoln, President THIBODEAU of Waldo, Representatives: CRAIG of Brewer, LAWRENCE  
of South Berwick, PICCHIOTTI of Fairfield.

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

2 **Sec. 1. 24-A MRSA §3953, sub-§1**, as amended by PL 2015, c. 404, §1, is  
3 further amended to read:

4 **1. Guaranteed access reinsurance mechanism established.** The Maine  
5 Guaranteed Access Reinsurance Association is established as a nonprofit legal entity. As  
6 a condition of doing business in the State, an insurer that has issued or administered  
7 medical insurance within the previous 12 months or is actively marketing a medical  
8 insurance policy or medical insurance administrative services in this State must  
9 participate in the association. The Dirigo Health Program established in chapter 87 and  
10 any other state-sponsored health benefit program shall also participate in the association.  
11 Except as provided in section 3962, operations of the association are suspended and the  
12 association may not collect assessments as provided in section 3957, provide reinsurance  
13 for member insurers under section 3958 or provide reimbursement for member insurers  
14 under section 3961 as of the date on which a transitional reinsurance program established  
15 under the authority of Section 1341 of the federal Affordable Care Act commences  
16 operations in this State until December 31, ~~2017~~ 2019.

17 **Sec. 2. Review of the Maine Guaranteed Access Reinsurance Association.**  
18 The Superintendent of Insurance shall review the Maine Guaranteed Access Reinsurance  
19 Association as established by the Maine Revised Statutes, Title 24-A, chapter 54-A; the  
20 condition of Maine's health insurance market, including the individual, small group and  
21 large group markets; and any changes to the federal Patient Protection and Affordable  
22 Care Act and federal regulations adopted pursuant to that Act. Before February 15, 2019,  
23 the superintendent shall make a recommendation to the joint standing committee of the  
24 Legislature having jurisdiction over insurance and financial services matters as to  
25 whether the Maine Guaranteed Access Reinsurance Association should resume  
26 operations following its suspension pursuant to Title 24-A, section 3953, subsection 1  
27 pursuant to a revised plan of operation or should terminate its operations and dissolve and  
28 whether any changes should be made to the statutes governing the association in  
29 connection with its continued operation or dissolution. The joint standing committee of  
30 the Legislature having jurisdiction over insurance and financial services matters may  
31 submit a bill relating to the Maine Guaranteed Access Reinsurance Association to the  
32 First Regular Session of the 129th Legislature.

33 **SUMMARY**

34 This bill extends the suspension of the operations of the Maine Guaranteed Access  
35 Reinsurance Association for 2 years, until December 31, 2019. The bill also directs the  
36 Superintendent of Insurance to make a recommendation before February 15, 2019 to the  
37 joint standing committee of the Legislature having jurisdiction over insurance and  
38 financial services matters relating to the continued operation or dissolution of the  
39 association.