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**Public Law**  
123rd Legislature  
First Regular Session

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**Chapter 115**  
**H.P. 640 - L.D. 841**

**An Act To Extend Health Insurance Coverage  
for Dependent Children up to 25 Years of Age**

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

**Sec. 1. 24-A MRSA §2742-B** is enacted to read:

**§ 2742-B. Mandatory offer to extend coverage for dependent children up to 25 years of age**

**1. Dependent child; definition.** As used in this section, "dependent child" means the child of a person covered under an individual health insurance policy when that child:

- A. Is unmarried;
- B. Has no dependent of the child's own;
- C. Is a resident of this State or is enrolled as a full-time student at an accredited public or private institution of higher education; and
- D. Is not provided coverage under any other individual or group health insurance policy or health maintenance organization contract or under a federal or state government program.

**2. Offer to extend coverage.** Notwithstanding section 2703, subsection 3, an individual health insurance policy that provides coverage for a dependent child must offer to extend coverage, at the option of the policyholder, until the dependent child is 25 years of age. An insurer may require, as a condition of eligibility for continued coverage in accordance with this section, that a covered person seeking continued coverage for a dependent child provide written documentation on an annual basis that the dependent child meets or continues to meet the requirements in subsection 1.

**Sec. 2. 24-A MRSA §2833-B** is enacted to read:

**§ 2833-B. Mandatory offer to extend coverage for dependent children up to 25 years of age**

**1. Dependent child; definition.** As used in this section, "dependent child" means the child of a person covered under a group health insurance policy when that child:

- A. Is unmarried;
- B. Has no dependent of the child's own;
- C. Is a resident of this State or is enrolled as a full-time student at an accredited public or private institution of higher education; and
- D. Is not provided coverage under any other individual or group health insurance policy or health maintenance organization contract or under a federal or state government program.

**2. Offer to extend coverage.** Notwithstanding section 2822, a group health insurance policy that provides coverage for a dependent child must offer to extend coverage, at the option of the policyholder, until the dependent child is 25 years of age. An insurer may require, as a condition of eligibility for continued coverage in accordance with this section, that a covered person seeking continued coverage for a dependent child provide written documentation on an annual basis that the dependent child meets or continues to meet the requirements in subsection 1.

**Sec. 3. 24-A MRS §4233-A,** as enacted by PL 2005, c. 532, §3, is amended to read:

**§ 4233-A. Extension of coverage for dependent children**

An individual or group health maintenance organization contract that provides coverage for a dependent child at certain ages only if the child is a student must continue that coverage if the child is unable to remain enrolled in school on a full-time basis due to a mental or physical illness or an accidental injury. This coverage may be terminated at the age at which coverage for students terminates under the terms of the contract. ~~An insurer~~A health maintenance organization may require, as a condition of eligibility for continued coverage in accordance with this section, that the student provide written documentation from a health care provider and the student's school that the student is no longer enrolled in school on a full-time basis due to a mental or physical illness or accidental injury.

**Sec. 4. 24-A MRS §4233-B** is enacted to read:

**§ 4233-B. Mandatory offer to extend coverage for dependent children up to 25 years of age**

**1. Dependent child; definition.** As used in this section, "dependent child" means the child of a person covered under an individual or group health maintenance organization contract when that child:

- A. Is unmarried;
- B. Has no dependent of the child's own;
- C. Is a resident of this State or is enrolled as a full-time student at an accredited public or private institution of higher education; and
- D. Is not provided coverage under any other individual or group health insurance policy or health maintenance organization contract or under a federal or state government program.

**2. Offer to extend coverage.** An individual or group health maintenance organization contract that provides coverage for a dependent child shall offer to extend coverage, at the option of the contract holder, until the dependent child is 25 years of age. An insurer may require, as a condition of eligibility for continued coverage in accordance with this section, that a covered person seeking continued coverage for a dependent child provide written documentation on an annual basis that the dependent child meets or continues to meet the requirements in subsection 1.

**Sec. 5. Application.** The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after the effective date of this Act. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

Effective September 20, 2007