

**§2850. Limitations on exclusion and waiting periods**

**1. Application.** This section applies to individual, group and blanket medical insurance contracts subject to chapters 33 and 35, except Medicare supplement contracts, converted contracts issued under section 2809-A and contracts designed to cover specific diseases, hospital indemnity or accidental injury only.

[PL 1999, c. 256, Pt. L, §8 (AMD).]

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

A. "Date of enrollment" means the effective date of coverage or, if earlier, the first day of the waiting period for such coverage. [PL 2001, c. 258, Pt. E, §9 (NEW).]

B. "Preexisting condition exclusion," with respect to coverage, means a limitation or exclusion of benefits relating to a condition based on the fact or perception that the condition was present, or that the person was at particularized risk of developing the condition, before the date of enrollment for coverage, whether or not any medical advice, diagnosis, care or treatment was recommended or received before that date. [PL 2001, c. 258, Pt. E, §9 (NEW).]

[PL 2001, c. 258, Pt. E, §9 (RPR).]

**2. Limitation.** An individual, group or blanket contract issued by an insurer may not impose a preexisting condition exclusion. This subsection does not limit a carrier's ability to restrict enrollment in an individual contract to open enrollment and special enrollment periods in accordance with section 2736-C, subsection 11.

A. [PL 2019, c. 5, Pt. A, §16 (RP).]

B. [PL 2019, c. 5, Pt. A, §16 (RP).]

C. [PL 2019, c. 5, Pt. A, §16 (RP).]

D. [PL 2019, c. 5, Pt. A, §16 (RP).]

E. [PL 2019, c. 5, Pt. A, §16 (RP).]

F. [PL 2019, c. 5, Pt. A, §16 (RP).]

[PL 2019, c. 5, Pt. A, §16 (AMD).]

**SECTION HISTORY**

PL 1989, c. 867, §§8,10 (NEW). PL 1991, c. 695, §11 (AMD). PL 1993, c. 477, §A15 (AMD). PL 1993, c. 477, §F1 (AFF). PL 1993, c. 547, §4 (AMD). PL 1997, c. 370, §C5 (AMD). PL 1997, c. 445, §§28,29 (AMD). PL 1997, c. 445, §32 (AFF). PL 1999, c. 256, §§L8,9 (AMD). PL 2001, c. 258, §§D3,E9 (AMD). PL 2007, c. 199, Pt. A, §8 (AMD). PL 2009, c. 244, Pt. E, §7 (AMD). PL 2011, c. 364, §18 (AMD). PL 2019, c. 5, Pt. A, §16 (AMD).

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