

Secretary of Health and Mental Hygiene shall notify the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401 not later than 90 days before prescription drug benefits are to be provided.]

Chapter 135 of the Acts of 2001

SECTION 12. AND BE IT FURTHER ENACTED, That [Sections 3 and 4] SECTION 3 of this Act shall take effect July 1, 2001. ~~On the earlier of the end of June 30, 2003~~ [or the availability of comparable prescription drug benefits provided by Medicare under Title XVIII of the Social Security Act, as amended], with no further action required by the General Assembly, [Sections 3 and 4] SECTION 3 of this Act shall be abrogated and of no further force and effect. [If comparable prescription drug benefits are provided by Medicare under Title XVIII of the Social Security Act, the Secretary of Health and Mental Hygiene shall notify the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401 not later than 90 days before prescription drug benefits are to be provided.]

~~SECTION 6. AND BE IT FURTHER ENACTED, That the terms of the initial members of the Board of the Maryland Health Insurance Plan shall expire as follows:~~

- ~~(1) 3 members in 2006;~~
- ~~(2) 3 members in 2007; and~~
- ~~(3) 3 member in 2008.~~

~~SECTION 7. AND BE IT FURTHER ENACTED, That, no later than October 1, 2002, the Maryland Insurance Administration shall notify the Centers for Medicare and Medicaid Services (CMS) that the State has established the Maryland Health Insurance Plan and request that it be approved as an acceptable "alternative mechanism" under the federal Health Insurance Portability and Accountability Act (HIPAA) in accordance with 45 CFR 148.128(e).~~

~~SECTION 8. AND BE IT FURTHER ENACTED, That on July 1, 2003 2002, the trustee of the Maryland Health Care Trust, established by Chapter 701 of the Acts of 2001, shall transfer all funds belonging to the Trust, but not to exceed \$471,728, from the Trust to the Maryland Health Insurance Plan Fund established under Title 14, Subtitle 5 of the Insurance Article to be used for administrative and other start-up costs associated with the Maryland Health Insurance Plan.~~

SECTION 8. 9. AND BE IT FURTHER ENACTED, That any carrier, that on January 1, 2002, offered or had in place a plan for substantial, available, and affordable coverage provided in accordance with § 15-606 of the Insurance Article, shall:

(1) continue to provide that coverage, at a premium rate and benefit level approved by the Insurance Commissioner, through July 1, 2003 to any individual enrolled in the plan on or after January 1, 2002, at the option of the enrollee; and