

(2002 Replacement Volume and 2003 Supplement)

BY repealing and reenacting, with amendments,

Article - Insurance

Section 15-909(b)(3)(i)

Annotated Code of Maryland

(2002 Replacement Volume and 2003 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article - Insurance**

15-901.

(a) In this subtitle the following words have the meanings indicated.

(c) "Carrier" means an insurer, nonprofit health service plan, or fraternal benefit society that is authorized to issue health insurance policies under this article.

(k) (1) "Medicare supplement policy" or "Medigap policy" means an individual or group policy of health insurance or subscriber contract that is advertised, marketed, or designed primarily as a supplement to reimbursements under Medicare for the hospital, medical, or surgical expenses of individuals eligible for Medicare.

(2) "Medicare supplement policy" or "Medigap policy" does not include:

(i) a policy that is issued pursuant to a contract under § 1876 of the federal Social Security Act, 42 U.S.C. § 1395(mm); or

(ii) a policy that is issued under a demonstration project authorized pursuant to amendments to the federal Social Security Act.

15-929.

(A) THIS SECTION APPLIES TO ANY INDIVIDUAL MEDICARE SUPPLEMENT POLICY AND TO ANY MEDICARE SUPPLEMENT POLICY ISSUED TO A GROUP IN WHICH AN INDIVIDUAL HAS PRIVILEGES ASSOCIATED WITH GROUP MEMBERSHIP.

(A) (B) A CARRIER THAT ISSUES MEDICARE SUPPLEMENT POLICIES SHALL ISSUE ANY MEDICARE SUPPLEMENT POLICY THE CARRIER SELLS IN THE STATE TO AN INDIVIDUAL WHO IS ELIGIBLE FOR MEDICARE DUE TO AGE IF THE INDIVIDUAL:

(1) TRANSFERRED FROM A SUBSTANTIAL, AVAILABLE, AND AFFORDABLE COVERAGE PLAN TO THE MARYLAND HEALTH INSURANCE PLAN ON JULY 1, 2003;

(2) IS TERMINATED FROM THE MARYLAND HEALTH INSURANCE PLAN AS A RESULT OF ELIGIBILITY FOR MEDICARE; AND