

(I) the individual with specific information regarding the availability of coverage under the Maryland Health Insurance Plan established under Title 14, Subtitle 5 of this article; AND

(II) THE MARYLAND HEALTH INSURANCE PLAN WITH:

1. THE NAME AND ADDRESS OF THE INDIVIDUAL WHO WAS DENIED COVERAGE; AND

2. IF THE INDIVIDUAL APPLIED FOR COVERAGE THROUGH AN INSURANCE PRODUCER, THE NAME AND, IF AVAILABLE, THE ADDRESS OF THE INSURANCE PRODUCER.

(2) [A notice issued] THE INFORMATION PROVIDED by a carrier under this subsection shall be provided in a manner and form required by the Commissioner.

SECTION 2. AND BE IT FURTHER ENACTED, That § 15-1303(c)(1) of the Insurance Article, as enacted by Section 1 of this Act, may not take effect until the receipt of an exception determination from the Secretary of Health and Human Services from § 160.203 of the Health Insurance Portability and Accountability Act (HIPAA) privacy regulations that would allow carriers to provide the information specified in § 15-1303(c)(1) to the Maryland Health Insurance Plan. The Governor shall seek the exception determination under § 160.204 of the HIPAA privacy regulations. The Governor shall notify the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401 no later than 10 days after receiving a response to the request for the exception determination from the Secretary of Health and Human Services. If the Secretary approves the exception determination, § 15-1303(c)(1) of the Insurance Article, as enacted by Section 1 of this Act, shall take effect 5 days after notice of the approval is received by the Department. If the Secretary denies the exception determination, § 15-1303(c)(1) of the Insurance Article, as enacted by Section 1 of this Act, shall be null and void with no further action required by the General Assembly.

SECTION 3. AND BE IT FURTHER ENACTED, That, except as provided in Section 2 of this Act, this Act shall take effect October 1, 2006.

Approved May 2, 2006.

CHAPTER 243

(Senate Bill 294)

AN ACT concerning

Children, Youth, and Family Services - Local Management Boards, State Coordinating Council, and Local Coordinating Councils - Services for Children with Special Needs

FOR the purpose of establishing a local management board and local coordinating