

(2) Notwithstanding subsection (b)(1)(ii) of this section, a carrier may include in a Medicare supplement policy a provision that complies with subsection (d) of this section.

(3) (i) A carrier shall make available ~~both a Medicare supplement policy plan C and a Medicare supplement policy plan I~~ MEDICARE SUPPLEMENT POLICY PLANS A, C, AND I to an individual who is under the age of 65 years but is eligible for Medicare due to a disability, if an application for a Medicare supplement policy or certificate is submitted:

1. during the 6-month period following the applicant's enrollment in Part B of Medicare; or

2. for an individual terminated from the Maryland Health Insurance Plan as a result of enrollment in Part B of Medicare, during the 6-month period after the individual's termination.

(ii) For a Medicare supplement policy plan ~~C or a Medicare supplement policy plan A, C, OR I~~ required to be made available under subparagraph (i) of this paragraph, a carrier:

1. may not deny or condition the issuance or effectiveness of a Medicare supplement policy plan ~~C or a Medicare supplement policy plan A, C, OR I~~ because of the health status, claims experience, receipt of health care, or medical condition of the applicant; or

2. may not deny, reduce, or condition coverage to the applicant for a Medicare supplement policy plan ~~C or a Medicare supplement policy plan A, C, OR I~~ because of the health status, claims experience, or medical condition of the applicant or the use of medical care by the applicant.

(III) FOR A MEDICARE SUPPLEMENT POLICY PLAN A REQUIRED TO BE MADE AVAILABLE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, A CARRIER MAY NOT CHARGE INDIVIDUALS WHO ARE UNDER THE AGE OF 65 YEARS, BUT ARE ELIGIBLE FOR MEDICARE DUE TO A DISABILITY, A RATE HIGHER THAN THE AVERAGE OF THE PREMIUMS PAID BY ALL POLICYHOLDERS AGE 65 AND OLDER IN THE STATE WHO ARE COVERED UNDER THAT PLAN A POLICY FORM.

(4) A carrier may elect to offer Medicare supplement policy plans to individuals who are under the age of 65 years, but eligible for Medicare due to a disability, in addition to the Medicare supplement policy ~~plan C and the Medicare supplement policy plan~~ PLANS A, C, AND I that are required to be offered under paragraph (3)(i) of this subsection.

(5) Nothing in paragraph (3) of this subsection may be construed to require a carrier to offer a Medicare supplement policy plan to individuals who are under the age of 65 years, but are eligible for Medicare due to a disability, if the plan is not offered to individuals who are eligible for Medicare due to age.

~~(6) A CARRIER MAY NOT CHARGE INDIVIDUALS WHO ARE UNDER THE AGE OF 65 YEARS, BUT ARE ELIGIBLE FOR MEDICARE DUE TO A DISABILITY, A HIGHER RATE FOR A PARTICULAR TYPE OF MEDICARE SUPPLEMENT POLICY THAN~~