

CHAPTER 417

(House Bill 1091)

AN ACT concerning

Health Insurance - Prohibition Against Reunderwriting

FOR the purpose of prohibiting health insurers, health maintenance organizations, and nonprofit health service plans from reunderwriting individuals for certain health coverage under certain individual contracts after the contracts have been issued; defining certain terms; making this Act an emergency measure; and generally relating to reunderwriting individuals for health coverage under health insurance.

BY adding to

Article - Insurance

Section 27-221

Annotated Code of Maryland

(2002 Replacement Volume and 2004 Supplement)

BY adding to

Article - Health - General

Section 19-706(ddd)

Annotated Code of Maryland

(2000 Replacement Volume and 2004 Supplement)

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

Article - Insurance

27-221.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "CARRIER" MEANS A PERSON THAT IS:

(I) AN INSURER THAT HOLDS A CERTIFICATE OF AUTHORITY IN THE STATE AND PROVIDES HEALTH INSURANCE IN THE STATE;

(II) A HEALTH MAINTENANCE ORGANIZATION THAT HOLDS A CERTIFICATE OF AUTHORITY TO OPERATE IN THE STATE; OR

(III) A NONPROFIT HEALTH SERVICE PLAN THAT HOLDS A CERTIFICATE OF AUTHORITY TO OPERATE IN THE STATE.

(3) "HEALTH COVERAGE" MEANS ANY OF THE FOLLOWING: