

STATE. UNTIL ~~SEPTEMBER 30, 1996~~ JANUARY 1, 1995 CARRIERS WHO DO NOT IMPOSE PREEXISTING CONDITION LIMITATIONS MAY REQUIRE THAT A SMALL EMPLOYER HAVE AT LEAST THREE ELIGIBLE EMPLOYEES.

(2) IF THE FEDERAL EMPLOYEE RETIREMENT INCOME SECURITY ACT IS AMENDED TO EXCLUDE EMPLOYEE GROUPS UNDER A SPECIFIC SIZE, NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THIS SUBTITLE SHALL APPLY TO ANY EMPLOYEE GROUP SIZE THAT IS EXCLUDED FROM THAT FEDERAL ACT.

(3) IN DETERMINING THE NUMBER OF ELIGIBLE EMPLOYEES, COMPANIES WHICH ARE AFFILIATED COMPANIES OR WHICH ARE ELIGIBLE TO FILE A ~~COMBINED STATE CONSOLIDATED FEDERAL INCOME TAX RETURN~~ SHALL BE CONSIDERED ONE EMPLOYER.

698A.

EXCEPT AS PROVIDED IN § ~~706~~ 712 OF THIS SUBTITLE, THIS SUBTITLE APPLIES ONLY TO CARRIERS THAT OFFER HEALTH BENEFIT PLANS COVERING ELIGIBLE EMPLOYEES OF SMALL EMPLOYERS.

699.

(A) IN ADDITION TO ANY OTHER REQUIREMENTS UNDER THIS ARTICLE, A CARRIER THAT OFFERS A HEALTH BENEFIT PLAN IN THE STATE SHALL:

(1) HAVE DEMONSTRATED THE CAPACITY TO ADMINISTER THE HEALTH BENEFIT PLAN, INCLUDING ADEQUATE NUMBERS AND TYPES OF ADMINISTRATIVE STAFF;

(2) HAVE A SATISFACTORY GRIEVANCE PROCEDURE AND ABILITY TO RESPOND TO ENROLLEES' CALLS, QUESTIONS, AND COMPLAINTS;

(3) PROVIDE, IN THE CASE OF INDIVIDUALS COVERED UNDER MORE THAN ONE HEALTH BENEFIT PLAN, FOR COORDINATION OF COVERAGE UNDER ALL OF THOSE PLANS IN AN EQUITABLE MANNER; AND

(4) DESIGN POLICIES TO HELP ENSURE THAT ENROLLEES OR INSURED HAVE ADEQUATE ACCESS TO PROVIDERS OF HEALTH CARE.

(B) (1) A CARRIER MAY NOT OFFER ANY HEALTH BENEFIT PLAN IN THE STATE UNLESS THE CARRIER OFFERS AT LEAST THE COMPREHENSIVE STANDARD HEALTH BENEFIT PLAN SPECIFIED BY THE COMMISSION UNDER § 700 OF THIS SUBTITLE.

(2) BENEFITS IN ADDITION TO THE COMPREHENSIVE STANDARD HEALTH BENEFIT PLAN MAY BE OFFERED IF THE ADDITIONAL BENEFITS:

(I) ARE OFFERED AND PRICED SEPARATELY FROM BENEFITS SPECIFIED IN ACCORDANCE WITH § 700 OF THIS SUBTITLE; AND

(II) DO NOT HAVE THE EFFECT OF DUPLICATING ANY OF THOSE BENEFITS.