

DEPARTMENT OF HEALTH AND MENTAL HYGIENE TO APPLY FOR THE ENROLLMENT ON BEHALF OF THE CHILD AND INCLUDE THE CHILD IN THAT COVERAGE UNDER THE ENROLLMENT REGARDLESS OF ENROLLMENT PERIOD RESTRICTIONS; AND

(3) MAY NOT DISENROLL OR ELIMINATE HEALTH INSURANCE COVERAGE FOR THE CHILD IN ANY MANNER UNLESS WRITTEN EVIDENCE IS PROVIDED TO THE INSURER THAT:

(I) THE ORDER IS NO LONGER IN EFFECT;

(II) THE CHILD HAS BEEN OR WILL BE ENROLLED UNDER OTHER REASONABLE HEALTH INSURANCE COVERAGE WHICH WILL TAKE EFFECT NOT LATER THAN THE EFFECTIVE DATE OF THE DISENROLLMENT;

(III) THE EMPLOYER HAS ELIMINATED FAMILY HEALTH COVERAGE FOR ALL OF ITS EMPLOYEES; OR

(IV) THE EMPLOYER NO LONGER EMPLOYS THE PARENT UNDER WHOSE NAME THE CHILD HAS BEEN ENROLLED FOR COVERAGE EXCEPT TO THE EXTENT THAT IF THE PARENT ELECTS TO EXERCISE THE PROVISIONS OF THE CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT OF 1985 (COBRA) THEN COVERAGE MUST BE PROVIDED FOR THE CHILD CONSISTENT WITH THE EMPLOYER'S PLAN RELATING TO POSTEMPLOYMENT MEDICAL COVERAGE FOR DEPENDENTS.

(D) FOR A CHILD WHO HAS HEALTH INSURANCE COVERAGE THROUGH A HEALTH INSURER OF AN INSURING PARENT, THE INSURER SHALL:

(1) PROVIDE MEMBERSHIP CARDS TO THE NONINSURING PARENT;

(2) PROVIDE THE CLAIMS FORMS TO THE NONINSURING PARENT;

(3) PROVIDE TO THE NONINSURING PARENT ANY OTHER INFORMATION NECESSARY FOR THE CHILD TO OBTAIN BENEFITS THROUGH THE INSURANCE COVERAGE; AND

(4) PROCESS THE CLAIMS FORMS AND MAKE APPROPRIATE PAYMENT TO THE NONINSURING PARENT, THE HEALTH CARE PROVIDER, OR THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE WHEN THE NONINSURING PARENT HAS INCURRED EXPENSES RELATING TO THE HEALTH CARE PROVIDED TO THE CHILD.

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

(2) "INSURER" MEANS:

(I) A COMMERCIAL INSURER, A NONPROFIT HEALTH SERVICE ORGANIZATION, OR A HEALTH MAINTENANCE ORGANIZATION OPERATING IN THIS STATE UNDER A CERTIFICATE OF AUTHORITY ISSUED BY THE MARYLAND INSURANCE COMMISSIONER;