

~~(II) AN ELIGIBLE EMPLOYEE AS DEFINED IN SUBTITLE 55 OF THIS ARTICLE FOR THE SMALL EMPLOYER MARKET; AND~~

~~(III) AN EMPLOYEE OF AN EMPLOYER WHO:~~

~~1. HAS MORE THAN 50 EMPLOYEES IF THE NUMBER OF EMPLOYEES OBTAINING HEALTH INSURANCE PLAN COVERAGE MEETS THE MINIMUM PARTICIPATION REQUIREMENTS ESTABLISHED UNDER § 739 OF THIS SUBTITLE; AND~~

~~2. DURING THE 12 MONTHS IMMEDIATELY PRECEDING JANUARY 1, 1994, DID NOT OFFER AND DID NOT CONTRIBUTE TO THE PREMIUM PAYMENTS FOR HEALTH INSURANCE FOR THE EMPLOYER'S EMPLOYEES AS PROVIDED IN § 736 OF THIS SUBTITLE.~~

~~(3) "ELIGIBLE EMPLOYEE" DOES NOT INCLUDE AN INDIVIDUAL WHO WORKS ON A TEMPORARY OR SUBSTITUTE BASIS OR FOR FEWER THAN 30 HOURS PER WEEK.~~

~~(F) (1) "EMPLOYER" MEANS ANY PERSON, SOLE PROPRIETOR, FIRM, CORPORATION, PARTNERSHIP, OR ASSOCIATION ACTIVELY ENGAGED IN BUSINESS WHO, ON AT LEAST 50 PERCENT OF ITS WORKING DAYS DURING THE PRECEDING CALENDAR YEAR EMPLOYED AT LEAST TWO ELIGIBLE EMPLOYEES.~~

~~(2) UNTIL JANUARY 1, 1995 CARRIERS WHO DO NOT IMPOSE PREEXISTING CONDITION LIMITATIONS MAY REQUIRE THAT AN EMPLOYER HAVE AT LEAST THREE ELIGIBLE EMPLOYEES.~~

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

~~(G) "ENROLLEE" MEANS AN ELIGIBLE EMPLOYEE, A DEPENDENT OF AN ELIGIBLE EMPLOYEE, AN INDIVIDUAL OR A DEPENDENT OF AN INDIVIDUAL WHO RECEIVES HEALTH COVERAGE THROUGH THE PROGRAM FROM A PARTICIPATING CARRIER.~~

~~(H) (1) "HEALTH BENEFIT PLAN" MEANS:~~

~~(I) THE COMPREHENSIVE STANDARD HEALTH BENEFIT PLAN DEVELOPED BY THE HEALTH CARE ACCESS AND COST COMMISSION; AND~~

~~(II) ANY SUPPLEMENTAL BENEFITS APPROVED BY THE COMMISSIONER.~~

~~(2) "HEALTH BENEFIT PLAN" DOES NOT INCLUDE:~~

~~(I) ACCIDENT ONLY INSURANCE;~~

~~(II) FIXED INDEMNITY INSURANCE;~~

~~(III) CREDIT HEALTH INSURANCE;~~