

(2) At the election of the small employer, offer coverage to all part-time employees of the small employer; AND

(3) At the election of the small employer, offer coverage to all employees of the small employer covered under another public or private health benefit plan or other health benefit arrangement [;

(4) A carrier shall establish an annual open enrollment period for self-employed individuals for at least 30 consecutive days in each 6-month period; and

(5) Notwithstanding any other provision of this section, a carrier may deny coverage to any self-employed individual who applies for a health benefit plan at a time other than the carrier's annual open enrollment period].

DRAFTER'S NOTE:

Error: Recodification of Article 48A, § 704(b).

Occurred: As a result of Ch. 501, § 6, Acts of 1995.

SECTION 10. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article 48A – Insurance Code

698.

(g) (2) "Eligible employee" includes:

(i) A sole proprietor, A SELF-EMPLOYED INDIVIDUAL, a partner of a partnership, and an independent contractor who is included as an employee under a health benefit plan under this subtitle; and

(ii) A sole employee of a nonprofit organization, which has been determined by the Internal Revenue Service to be exempt from taxation under § 501(c)(3), (4), or (6) of the Internal Revenue Code, who has a normal workweek of 20 or more hours and is not covered under a public or private health insurance plan or other health benefit arrangement.

(i) (1) "Late enrollee" means:

(I) [an] AN eligible employee or dependent who requests enrollment in a health benefit plan under this subtitle following the initial enrollment period provided under the terms of the health benefit plan; OR

(II) FOR A SELF-EMPLOYED INDIVIDUAL AS DESCRIBED IN SUBSECTION (Q)(1)(II) OF THIS SECTION, A SELF-EMPLOYED INDIVIDUAL OR DEPENDENT WHO REQUESTS ENROLLMENT IN A HEALTH BENEFIT PLAN UNDER THIS SUBTITLE FOLLOWING AN ANNUAL OPEN ENROLLMENT PERIOD FOR SELF-EMPLOYED INDIVIDUALS ESTABLISHED BY THE CARRIER IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE COMMISSIONER.

(q) (1) "Small employer" means [any]: