

public or private health insurance plan or other health benefit arrangement, including Medicare, Medicaid, and CHAMPUS, that provides benefits similar to or exceeding the benefits provided under the comprehensive standard benefit plan.

(4) If the federal Employee Retirement Income Security Act is amended to exclude employee groups under a specific size, notwithstanding paragraph (1)(I) of this subsection, this subtitle shall apply to any employee group size that is excluded from that federal Act.

(5) In determining the number of eligible employees who meet the requirements under paragraph (1)(I) of this subsection, companies which are affiliated companies or which are eligible to file a consolidated federal income tax return shall be considered one employer.

(6) In determining the number of eligible employees who meet the requirements under paragraph (1)(I) of this subsection, an employee may not be counted who:

(i) Is otherwise covered under a public or private health insurance plan or other health benefit arrangement; or

(ii) Is a part-time employee.

(7) Notwithstanding the provisions of paragraph (1)(I) of this subsection, in otherwise satisfying the requirements of paragraph (1)(I) of this subsection, a small employer that did not exist during the preceding calendar year shall, during its first year, employ on at least 50 percent of its working days at least two but no more than 50 eligible employees.

DRAFTER'S NOTE:

Error: Recodification of Article 48A, § 698(g)(2), (i)(1), and (q).

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

704.

(F) A CARRIER SHALL ESTABLISH AN ANNUAL OPEN ENROLLMENT PERIOD FOR SELF-EMPLOYED INDIVIDUALS FOR AT LEAST 30 CONSECUTIVE DAYS IN EACH 6-MONTH PERIOD.

(G) 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)(4) and (5).

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

SECTION 11. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows: