

(2) NOTWITHSTANDING SUBSECTION (B)(1)(II) OF THIS SECTION, A CARRIER MAY INCLUDE IN A MEDICARE SUPPLEMENT POLICY A PROVISION THAT COMPLIES WITH SUBSECTION (D) OF THIS SECTION.

(C) POLICY AVAILABILITY.

REGARDLESS OF THE APPLICANT'S AGE, EACH MEDICARE SUPPLEMENT POLICY OR APPLICABLE CERTIFICATE THAT A CARRIER CURRENTLY HAS AVAILABLE SHALL BE MADE AVAILABLE TO EACH APPLICANT WHO QUALIFIES UNDER SUBSECTION (B) OF THIS SECTION.

(D) PREEXISTING CONDITION PROVISIONS.

(1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A MEDICARE SUPPLEMENT POLICY OR CERTIFICATE MAY NOT EXCLUDE OR LIMIT BENEFITS FOR LOSSES INCURRED MORE THAN 6 MONTHS AFTER THE EFFECTIVE DATE OF COVERAGE BECAUSE THE LOSSES INVOLVED A PREEXISTING CONDITION.

(2) A MEDICARE SUPPLEMENT POLICY OR CERTIFICATE MAY NOT DEFINE A PREEXISTING CONDITION MORE RESTRICTIVELY THAN A CONDITION FOR WHICH A PHYSICIAN GAVE MEDICAL ADVICE OR RECOMMENDED OR GAVE TREATMENT WITHIN 6 MONTHS BEFORE THE EFFECTIVE DATE OF COVERAGE.

(E) POLICY REPLACEMENT REQUIREMENTS.

IF A MEDICARE SUPPLEMENT POLICY OR CERTIFICATE REPLACES ANOTHER MEDICARE SUPPLEMENT POLICY OR CERTIFICATE, THE SUCCEEDING CARRIER SHALL WAIVE THE TIME PERIODS APPLICABLE TO PREEXISTING CONDITIONS, WAITING PERIODS, ELIMINATION PERIODS, AND PROBATIONARY PERIODS IN THE NEW MEDICARE SUPPLEMENT POLICY OR CERTIFICATE FOR SIMILAR BENEFITS TO THE EXTENT THE TIME WAS SPENT UNDER THE ORIGINAL MEDICARE SUPPLEMENT POLICY OR CERTIFICATE.

(F) CANCELLATION, NONRENEWAL, OR TERMINATION OF POLICY.

A CARRIER MAY NOT CANCEL OR NONRENEW A MEDICARE SUPPLEMENT POLICY OR CERTIFICATE FOR ANY REASON OTHER THAN FOR NONPAYMENT OF PREMIUM OR MATERIAL MISREPRESENTATION.

(G) TERMINATION OF GROUP POLICY OR MEMBERSHIP IN GROUP.

(1) (I) IF THE GROUP POLICYHOLDER TERMINATES A GROUP MEDICARE SUPPLEMENT POLICY WITHOUT REPLACING THE GROUP MEDICARE SUPPLEMENT POLICY UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE CARRIER SHALL OFFER EACH CERTIFICATE HOLDER AN INDIVIDUAL MEDICARE SUPPLEMENT POLICY.

(II) THE CARRIER SHALL OFFER THE CERTIFICATE HOLDER AT LEAST THE FOLLOWING:

1. AN INDIVIDUAL MEDICARE SUPPLEMENT POLICY THAT PROVIDES FOR CONTINUATION OF THE BENEFITS CONTAINED IN THE GROUP POLICY; OR