

"COMMISSION" MEANS THE MARYLAND HEALTH CARE ACCESS AND COST COMMISSION ESTABLISHED UNDER TITLE 19, SUBTITLE 15 OF THE HEALTH - GENERAL ARTICLE.

REVISOR'S NOTE: This subsection formerly was Art. 48A, § 698(e).

No changes are made.

(E) ELIGIBLE EMPLOYEE.

(1) "ELIGIBLE EMPLOYEE" MEANS:

(I) AN INDIVIDUAL WHO:

1. IS AN EMPLOYEE, SOLE PROPRIETOR, SELF-EMPLOYED INDIVIDUAL, PARTNER OF A PARTNERSHIP, OR INDEPENDENT CONTRACTOR WHO IS INCLUDED AS AN EMPLOYEE UNDER A HEALTH BENEFIT PLAN; AND

2. WORKS ON A FULL-TIME BASIS AND HAS A NORMAL WORKWEEK OF AT LEAST 30 HOURS; OR

(II) A SOLE EMPLOYEE OF A NONPROFIT ORGANIZATION THAT 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:

1. HAS A NORMAL WORKWEEK OF AT LEAST 20 HOURS; AND

2. IS NOT COVERED UNDER A PUBLIC OR PRIVATE PLAN FOR HEALTH INSURANCE OR OTHER HEALTH BENEFIT ARRANGEMENT.

(2) "ELIGIBLE EMPLOYEE" DOES NOT INCLUDE AN INDIVIDUAL WHO WORKS:

(I) ON A TEMPORARY OR SUBSTITUTE BASIS; OR

(II) EXCEPT FOR AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1)(II) OF THIS SUBSECTION, FOR LESS THAN 30 HOURS IN A NORMAL WORKWEEK.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 48A, § 698(g).

In paragraph (1)(i)1 of this subsection, the former phrase "under this subtitle", which modified the defined term "health benefit plan", is deleted as unnecessary because the term is defined for this subtitle.

In paragraph (2)(ii) of this subsection, the word "normal" is added to modify "workweek" to be consistent with terminology in paragraph (1) of this subsection.

Defined terms: "Health benefit plan" § 15-1201

"Health insurance" § 1-101

(F) HEALTH BENEFIT PLAN.

(1) "HEALTH BENEFIT PLAN" MEANS: