

- "Health benefit plan" § 15-1201
- "Health insurance" § 1-101
- "Late enrollee" § 15-1201
- "Preexisting condition" § 15-1201
- "Preexisting condition provision" § 15-1201

15-1209. ISSUANCE OF HEALTH BENEFIT PLANS.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO ANY INSURANCE ENUMERATED IN § 15-1201(F)(3)(I) THROUGH (XIII) OF THIS SUBTITLE.

(B) ISSUANCE REQUIRED.

A CARRIER SHALL ISSUE ITS HEALTH BENEFIT PLANS TO EACH SMALL EMPLOYER THAT MEETS THE REQUIREMENTS OF THIS SECTION.

(C) REQUIREMENTS FOR SMALL EMPLOYERS.

(1) NOTHING IN THIS SUBSECTION REQUIRES A SMALL EMPLOYER TO CONTRIBUTE TO THE PREMIUM PAYMENTS FOR COVERAGE OF A DEPENDENT OF AN ELIGIBLE EMPLOYEE.

(2) TO BE COVERED UNDER A HEALTH BENEFIT PLAN OFFERED BY A CARRIER, A SMALL EMPLOYER SHALL:

- (I) ELECT TO BE COVERED;
- (II) AGREE TO PAY THE PREMIUMS;

(III) AGREE TO OFFER COVERAGE TO ANY DEPENDENT OF AN ELIGIBLE EMPLOYEE WHEN COVERAGE IS SOUGHT BY THE ELIGIBLE EMPLOYEE, IN ACCORDANCE WITH PROVISIONS GOVERNING LATE ENROLLEES AND ANY OTHER PROVISIONS OF THIS SUBTITLE THAT APPLY TO COVERAGE;

(IV) AGREE TO COLLECT PAYMENTS FOR PREMIUMS THROUGH PAYROLL DEDUCTIONS FOR COVERAGE OF ELIGIBLE EMPLOYEES AND DEPENDENTS AND TRANSMIT THOSE PAYMENTS TO THE CARRIER; AND

(V) SATISFY OTHER REASONABLE PROVISIONS OF THE HEALTH BENEFIT PLAN AS APPROVED BY THE COMMISSIONER.

(D) UNIFORM APPLICATION OF REQUIREMENTS BY CARRIER.

(1) IN DETERMINING WHETHER A SMALL EMPLOYER SATISFIES THE REQUIREMENTS OF THIS SECTION, A CARRIER SHALL APPLY ITS REQUIREMENTS UNIFORMLY AMONG ALL SMALL EMPLOYERS WITH THE SAME NUMBER OF ELIGIBLE EMPLOYEES WHO APPLY FOR OR RECEIVE COVERAGE FROM THE CARRIER, INCLUDING A REQUIREMENT THAT A MINIMUM PERCENTAGE OF ELIGIBLE EMPLOYEES OF THE SMALL EMPLOYER PARTICIPATE IN THE HEALTH BENEFIT PLAN.