

TO SELL HEALTH BENEFIT PLANS TO SMALL EMPLOYERS IN THE STATE, A CARRIER SHALL FILE ITS PROPOSED HEALTH BENEFIT PLANS WITH THE COMMISSIONER ON OR BEFORE THE DATE DESIGNATED BY THE COMMISSIONER.

(B) DEEMED APPROVAL.

UNLESS THE COMMISSIONER PREVIOUSLY HAS DISAPPROVED A HEALTH BENEFIT PLAN, IT IS DEEMED APPROVED 60 DAYS AFTER FILING WITH THE COMMISSIONER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 704(e).

In subsection (a) of this section, the former reference to "small employer" health benefit plans is deleted as unnecessary in light of the scope of this subtitle under § 15-1202 of this subtitle.

Defined terms: "Carrier" § 15-1201

"Commissioner" § 1-101

"Health benefit plan" § 15-1201

"Small employer" § 15-1201

15-1212. RENEWAL OF HEALTH BENEFIT PLANS.

(A) OPTION OF SMALL EMPLOYER.

(1) EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (C) OF THIS SECTION, A CARRIER SHALL RENEW A HEALTH BENEFIT PLAN AT THE OPTION OF THE SMALL EMPLOYER.

(2) ON RENEWAL, A CARRIER MAY NOT EXCLUDE ELIGIBLE EMPLOYEES OR DEPENDENTS FROM A HEALTH BENEFIT PLAN.

(B) CANCELLATION OR REFUSAL TO RENEW.

A CARRIER MAY CANCEL OR REFUSE TO RENEW A HEALTH BENEFIT PLAN ONLY:

(1) FOR NONPAYMENT OF PREMIUMS;

(2) FOR FRAUD OR MISREPRESENTATION OF THE SMALL EMPLOYER OR COVERED INDIVIDUALS OR THEIR REPRESENTATIVES;

(3) FOR NONCOMPLIANCE WITH REASONABLE PROVISIONS OF THE HEALTH BENEFIT PLAN AS APPROVED BY THE COMMISSIONER;

(4) FOR REPEATED MISUSE, AS DEFINED BY THE COMMISSIONER, OF A PROVIDER NETWORK PROVISION;

(5) WHEN THE CARRIER ELECTS NOT TO RENEW:

(I) ALL OF ITS HEALTH BENEFIT PLANS THAT ARE ISSUED TO SMALL EMPLOYERS IN THE STATE; OR