

(II) THE PARTICULAR HEALTH BENEFIT PLAN FOR ALL SMALL EMPLOYERS IN THE STATE;

(6) IF THE COMMISSIONER FINDS THAT CONTINUATION OF COVERAGE WOULD:

(I) NOT BE IN THE BEST INTERESTS OF POLICYHOLDERS OR CERTIFICATE HOLDERS; OR

(II) IMPAIR THE CARRIER'S ABILITY TO MEET ITS CONTRACTUAL OBLIGATIONS; OR

(7) FOR REASONS STATED IN § 19-725(B) OF THE HEALTH - GENERAL ARTICLE, IF THE CARRIER IS A HEALTH MAINTENANCE ORGANIZATION.

(C) ELECTION OF CARRIER TO NONRENEW ALL PLANS.

WHEN A CARRIER ELECTS NOT TO RENEW ALL HEALTH BENEFIT PLANS IN THE STATE, THE CARRIER:

(1) SHALL GIVE NOTICE OF ITS DECISION TO THE AFFECTED SMALL EMPLOYERS AND THE INSURANCE REGULATORY AUTHORITY OF EACH STATE IN WHICH AN ELIGIBLE EMPLOYEE OR DEPENDENT RESIDES AT LEAST 180 DAYS BEFORE THE EFFECTIVE DATE OF NONRENEWAL;

(2) SHALL GIVE NOTICE TO THE COMMISSIONER AT LEAST 30 WORKING DAYS BEFORE GIVING THE NOTICE SPECIFIED IN ITEM (1) OF THIS SUBSECTION; AND

(3) MAY NOT WRITE NEW BUSINESS FOR SMALL EMPLOYERS IN THE STATE FOR A PERIOD OF 5 YEARS BEGINNING ON THE DATE OF NOTICE TO THE COMMISSIONER.

(D) NOTICE TO EMPLOYEES.

WITHIN 7 DAYS AFTER CANCELLATION OR NONRENEWAL OF A HEALTH BENEFIT PLAN, THE CARRIER SHALL SEND TO EACH ENROLLED EMPLOYEE WRITTEN NOTICE OF ITS ACTION AND THE CONVERSION RIGHTS AVAILABLE TO EACH ENROLLED EMPLOYEE UNDER § 15-412 OF THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 705.

In subsection (a)(1) of this section, the exception to subsection "(b)" of this section is added for clarity. Subsection (b) of this section sets forth conditions under which a carrier may cancel or refuse to renew a health benefit plan. These conditions override subsection (a)(1) of this section, which requires a carrier to renew a health benefit plan at the option of the small employer.

In subsections (a)(2) and the introductory language of (b) of this section, the former references to a "small employer" health benefit plan are deleted as unnecessary in light of the scope of this subtitle under § 15-1202 of this subtitle.