

~~[(f)](G) Notwithstanding subsection (b)(3)(ii)1 of this section, in otherwise satisfying the requirements of subsection (b)(1) of this section, a person is considered a small employer under this subtitle if:~~

~~(1) all but one of its eligible employees are covered under another public or private health benefit plan or other health benefit arrangement; and~~

~~(2) only one of its eligible employees is not covered under any public or private health benefit plan or other health benefit arrangement.~~

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(b) (4) A CARRIER MAY REQUEST DOCUMENTATION TO VERIFY THAT A PERSON MEETS THE CRITERIA UNDER THIS SUBSECTION TO BE CONSIDERED A SMALL EMPLOYER UNDER THIS SUBTITLE.

(c) An individual is considered a small employer under this subtitle if the individual:

(1) LIVES, WORKS, OR RESIDES IN THE STATE; AND

(2) is a self-employed individual [or] ORGANIZED AS A SOLE PROPRIETORSHIP OR IN ANY OTHER LEGALLY RECOGNIZED MANNER THAT A SELF-EMPLOYED INDIVIDUAL MAY ORGANIZE:

[(1)](I) a substantial part of whose income derives from a trade or business through which the individual has attempted to earn taxable income;

[(2)](II) who has filed the appropriate Internal Revenue [Form 1040, Schedule C or F.] FORM for the previous taxable year; and

[(3)](III) for whom a copy of the APPROPRIATE Internal Revenue form OR FORMS AND SCHEDULE has been filed with the carrier [as proof of employment].

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

**Chapter 462 of the Acts of 1995**

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 1995. [It shall remain effective for a period of three years and, at the end of May 31, 1998, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.]

SECTION 5. AND BE IT FURTHER ENACTED, That:

~~(1) Due to the rapid changes the health care market is experiencing, prior to implementation, the Maryland Health Care Access and Cost Commission shall evaluate the goals of a statewide payment system and the appropriateness of the payment system mandated in § 19-1509 of the Health General Article to achieving these goals; and~~