

(III) PART A OR PART B OF TITLE XVIII OF THE SOCIAL SECURITY ACT;

(IV) TITLE XIX OF THE SOCIAL SECURITY ACT, OTHER THAN COVERAGE CONSISTING SOLELY OF BENEFITS UNDER SECTION 1928 OF THAT ACT;

(V) CHAPTER 55 OF TITLE 10 OF THE UNITED STATES CODE;

(VI) A MEDICAL CARE PROGRAM OF THE INDIAN HEALTH SERVICE OR OF A TRIBAL ORGANIZATION;

(VII) A STATE HEALTH BENEFITS RISK POOL;

(VIII) A HEALTH PLAN OFFERED UNDER THE FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM (FEHBP), TITLE 5, CHAPTER 89 OF THE UNITED STATES CODE;

(IX) A PUBLIC HEALTH PLAN AS DEFINED BY FEDERAL REGULATIONS AUTHORIZED BY THE PUBLIC HEALTH SERVICE ACT, SECTION 2701(C)(1)(I), AS AMENDED BY P.L. 104-191; OR

(X) A HEALTH BENEFIT PLAN UNDER SECTION 5(E) OF THE PEACE CORPS ACT, 22 U.S.C. 2504(E).

(2) A PERIOD OF CREDITABLE COVERAGE SHALL NOT BE COUNTED, WITH RESPECT TO ENROLLMENT OF AN INDIVIDUAL UNDER A HEALTH BENEFIT PLAN OR AN EMPLOYER SPONSORED PLAN, IF, AFTER SUCH PERIOD AND BEFORE THE ENROLLMENT DATE, THERE WAS A 63-DAY PERIOD DURING ALL OF WHICH THE INDIVIDUAL WAS NOT COVERED UNDER ANY CREDITABLE COVERAGE.

(H) "ELIGIBLE INDIVIDUAL" MEANS AN INDIVIDUAL:

(1) (I) FOR WHOM, AS OF THE DATE ON WHICH THE INDIVIDUAL SEEKS COVERAGE UNDER THIS SUBTITLE, THE AGGREGATE OF THE PERIODS OF CREDITABLE COVERAGE IS 18 OR MORE MONTHS; AND

(II) WHOSE MOST RECENT PRIOR CREDITABLE COVERAGE WAS UNDER AN EMPLOYER SPONSORED PLAN, GOVERNMENTAL PLAN, CHURCH PLAN, OR HEALTH BENEFIT PLAN OFFERED IN CONNECTION WITH ANY OF THESE PLANS;

(2) WHO IS NOT ELIGIBLE FOR COVERAGE UNDER:

(I) AN EMPLOYER SPONSORED PLAN;

(II) PART A OR PART B OF TITLE XVIII OF THE SOCIAL SECURITY ACT;

(III) A STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT; OR

(IV) A HEALTH BENEFIT PLAN;