

755.

A CARRIER MAY NOT OFFER ANY INDIVIDUAL HEALTH BENEFIT PLANS IN THIS STATE UNLESS THE CARRIER OFFERS, AND ACTIVELY MARKETS, THE POLICIES REQUIRED BY THIS SUBTITLE.

756.

(A) UNLESS A CARRIER MAKES AN ELECTION UNDER § 757 OF THIS SUBTITLE, THE CARRIER MAY NOT:

(1) DECLINE TO OFFER COVERAGE TO, OR DENY ENROLLMENT OF AN ELIGIBLE INDIVIDUAL; OR

(2) IMPOSE ANY PREEXISTING CONDITION PROVISION ON AN ELIGIBLE INDIVIDUAL.

(B) (1) A CARRIER THAT MAKES AN ELECTION UNDER § 757 OF THIS SUBTITLE MAY CHOOSE TO OFFER AT LEAST TWO DIFFERENT POLICY FORMS, BOTH OF WHICH ARE DESIGNED FOR, MADE GENERALLY AVAILABLE TO, ACTIVELY MARKETED TO, AND ENROLL, BOTH ELIGIBLE INDIVIDUALS AND OTHER INDIVIDUALS.

(2) POLICY FORMS THAT HAVE DIFFERENT COST-SHARING ARRANGEMENTS OR DIFFERENT RIDERS SHALL BE CONSIDERED TO BE DIFFERENT POLICY FORMS.

(C) POLICY FORMS SHALL COMPLY WITH THE REQUIREMENTS OF THIS SUBTITLE.

757.

(A) NO LATER THAN JULY 1, 1997, A CARRIER THAT INTENDS TO OFFER TWO POLICY FORMS SHALL SUBMIT IN WRITING TO THE COMMISSIONER BOTH:

(1) AN ELECTION WHETHER TO OFFER:

(I) A HIGH LEVEL AND LOW LEVEL POLICY FORM, EACH OF WHICH INCLUDES BENEFITS SUBSTANTIALLY SIMILAR TO OTHER INDIVIDUAL HEALTH INSURANCE COVERAGE OFFERED BY THE CARRIER IN THIS STATE; OR

(II) POLICY FORMS WITH THE LARGEST AND NEXT TO LARGEST PREMIUM VOLUME OF ALL POLICY FORMS OFFERED BY THE CARRIER IN THIS STATE; AND

(2) AN ELECTION WHETHER TO USE THE WEIGHTED AVERAGE VALUATION DESCRIBED IN § 752(T)(1)(I) OR (II) OF THIS SUBTITLE.

(B) (1) AN ELECTION MADE UNDER THIS SECTION SHALL BE BINDING FOR A 2-YEAR PERIOD.

(2) AFTER THE INITIAL 2-YEAR PERIOD, AND FOR EACH SUBSEQUENT 2-YEAR PERIOD, CARRIERS SHALL AGAIN MAKE THE ELECTIONS REQUIRED BY THIS SECTION.