OF A LATE ENROLLEE, DURING WHICH A HEALTH MAINTENANCE ORGANIZATION DOES NOT COLLECT PREMIUM AND COVERAGE ISSUED DOES NOT BECOME EFFECTIVE.

(C) "ASSOCIATION" OR "BONA FIDE ASSOCIATION" MEANS, WITH RESPECT TO HEALTH INSURANCE COVERAGE OFFERED IN THIS STATE, AN ASSOCIATION THAT:

(1) HAS BEEN ACTIVELY IN EXISTENCE FOR AT LEAST 5 YEARS;

(2) HAS BEEN FORMED AND MAINTAINED IN GOOD FAITH FOR PURPOSES OTHER THAN OBTAINING INSURANCE AND DOES NOT CONDITION MEMBERSHIP ON THE PURCHASE OF ASSOCIATION–SPONSORED INSURANCE;

(3) DOES NOT CONDITION MEMBERSHIP IN THE ASSOCIATION ON ANY HEALTH STATUS–RELATED FACTOR RELATING TO AN INDIVIDUAL, AND STATES SO CLEARLY IN ALL MEMBERSHIP AND APPLICATION MATERIALS;

(4) MAKES HEALTH INSURANCE COVERAGE OFFERED THROUGH THE ASSOCIATION AVAILABLE TO ALL MEMBERS REGARDLESS OF ANY HEALTH STATUS–RELATED FACTOR RELATING TO THE MEMBERS OR INDIVIDUALS ELIGIBLE FOR COVERAGE THROUGH A MEMBER AND STATES SO CLEARLY IN ALL MEMBERSHIP AND APPLICATION MATERIALS;

(5) DOES NOT MAKE HEALTH INSURANCE COVERAGE OFFERED THROUGH THE ASSOCIATION AVAILABLE OTHER THAN IN CONNECTION WITH MEMBERSHIP IN THE ASSOCIATION AND STATES SO CLEARLY IN ALL MARKETING AND APPLICATION MATERIALS; AND

(6) PROVIDES AND ANNUALLY UPDATES INFORMATION NECESSARY FOR THE COMMISSIONER TO DETERMINE WHETHER OR NOT THE ASSOCIATION MEETS THE DEFINITION OF BONA FIDE ASSOCIATION BEFORE QUALIFYING AS AN ASSOCIATION UNDER THIS SUBTITLE.

(D) "CARRIER" MEANS A PERSON THAT IS:

(1) AN INSURER THAT HOLDS A CERTIFICATE OF AUTHORITY IN THE STATE AND PROVIDES HEALTH INSURANCE IN THE STATE;

(2) A HEALTH MAINTENANCE ORGANIZATION THAT IS LICENSED TO OPERATE IN THE STATE;

(3) A NONPROFIT HEALTH SERVICE PLAN THAT IS LICENSED TO OPERATE IN THE STATE; OR

(4) ANY OTHER PERSON OR ORGANIZATION THAT PROVIDES HEALTH BENEFIT PLANS SUBJECT TO STATE INSURANCE REGULATION.

(E) "CHURCH PLAN" MEANS A PLAN AS DEFINED UNDER SECTION 3(33) OF THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.

(F) (1) "CREDITABLE COVERAGE" MEANS COVERAGE OF AN INDIVIDUAL UNDER: