

(1) PROMINENTLY STATE IN ANY DISCLOSURE STATEMENTS CONCERNING THE COVERAGE, AND TO EACH EMPLOYER AT THE TIME OF THE OFFER OR SALE OF THE COVERAGE, THAT THE CARRIER HAS MADE THIS ELECTION; AND

(2) INCLUDE IN THE STATEMENT A DESCRIPTION OF THE EFFECT OF THE ELECTION ON THE MEMBER OR SUBSCRIBER.

768.

AN INDIVIDUAL SHALL ESTABLISH THE INDIVIDUAL'S PERIOD OF CREDITABLE COVERAGE BY PRESENTING THE CERTIFICATE DESCRIBED IN § 766 OF THIS SUBTITLE.

769.

(A) A CARRIER MAY NOT ESTABLISH RULES FOR ELIGIBILITY OF AN INDIVIDUAL TO ENROLL UNDER A GROUP HEALTH BENEFITS PLAN BASED ON ANY HEALTH STATUS-RELATED FACTOR.

(B) SUBSECTION (A) OF THIS SECTION DOES NOT:

(1) REQUIRE A CARRIER TO PROVIDE PARTICULAR BENEFITS OTHER THAN THOSE PROVIDED UNDER THE TERMS OF THE PARTICULAR HEALTH BENEFIT PLAN; OR

(2) PREVENT A CARRIER FROM ESTABLISHING LIMITATIONS OR RESTRICTIONS ON THE AMOUNT, LEVEL, EXTENT, OR NATURE OF THE BENEFITS OR COVERAGE FOR SIMILARLY SITUATED INDIVIDUALS ENROLLED IN THE HEALTH BENEFIT PLAN.

(C) RULES FOR ELIGIBILITY TO ENROLL UNDER A PLAN INCLUDES RULES DEFINING ANY APPLICABLE WAITING PERIODS FOR ENROLLMENT.

(D) A CARRIER SHALL ALLOW AN EMPLOYEE OR DEPENDENT WHO IS ELIGIBLE, BUT NOT ENROLLED, FOR COVERAGE UNDER THE TERMS OF A GROUP HEALTH BENEFITS PLAN TO ENROLL FOR COVERAGE UNDER THE TERMS OF THE PLAN IF:

(1) THE EMPLOYEE OR DEPENDENT WAS COVERED UNDER AN EMPLOYER-SPONSORED PLAN OR GROUP HEALTH BENEFITS PLAN AT THE TIME COVERAGE WAS PREVIOUSLY OFFERED TO THE EMPLOYEE OR DEPENDENT;

(2) THE EMPLOYEE STATES IN WRITING, AT THE TIME COVERAGE WAS PREVIOUSLY OFFERED, THAT COVERAGE UNDER AN EMPLOYER-SPONSORED PLAN OR GROUP HEALTH BENEFITS PLAN WAS THE REASON FOR DECLINING ENROLLMENT, BUT ONLY IF THE PLAN SPONSOR OR ISSUER REQUIRES THE STATEMENT AND PROVIDES THE EMPLOYEE WITH NOTICE OF THE REQUIREMENT; AND

(3) THE EMPLOYEE'S OR DEPENDENT'S COVERAGE DESCRIBED IN ITEM (1) OF THIS SUBSECTION;