

15-1202.

(A) This subtitle applies only to a health benefit plan that:

- (1) covers eligible employees of small employers in the State; and
- (2) is issued or renewed on or after July 1, 1994, if:
 - (i) any part of the premium or benefits is paid by or on behalf of the small employer;
 - (ii) any eligible employee or dependent is reimbursed, through wage adjustments or otherwise, by or on behalf of the small employer for any part of the premium;
 - (iii) the health benefit plan is treated by the employer or any eligible employee or dependent as part of a plan or program under the United States Internal Revenue Code, 26 U.S.C. § 106, § 125, or § 162; or
 - (iv) the small employer allows eligible employees to pay for the health benefit plan through payroll deductions.

(B) A CARRIER IS SUBJECT TO THE REQUIREMENTS OF § 15-1403 OF THIS TITLE IN CONNECTION WITH HEALTH BENEFIT PLANS ISSUED UNDER THIS SUBTITLE.

SUBTITLE 13. MARYLAND HEALTH INSURANCE PORTABILITY AND
ACCOUNTABILITY ACT — INDIVIDUAL MARKET REFORMS.

15-1301.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "ACTUARIAL CERTIFICATION" MEANS A WRITTEN STATEMENT IN A FORM APPROVED BY THE COMMISSIONER, SIGNED BY A MEMBER OF THE AMERICAN ACADEMY OF ACTUARIES OR OTHER INDIVIDUAL ACCEPTABLE TO THE COMMISSIONER THAT A CARRIER IS IN COMPLIANCE WITH THE PROVISIONS OF THIS SUBTITLE.

(C) "AFFILIATION PERIOD" MEANS A PERIOD OF TIME BEGINNING ON THE DATE OF ENROLLMENT AND NOT TO EXCEED 2 MONTHS, OR 3 MONTHS IN THE CASE OF A LATE ENROLLEE, DURING WHICH A HEALTH MAINTENANCE ORGANIZATION DOES NOT COLLECT PREMIUM, AND COVERAGE ISSUED DOES NOT BECOME EFFECTIVE.

(D) "ASSOCIATION" OR "BONA FIDE ASSOCIATION" MEANS, 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;