

(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:

(I) WAS UNDER A COBRA CONTINUATION PROVISION, AND THE COVERAGE UNDER THAT PROVISION WAS EXHAUSTED; OR

(II) WAS NOT UNDER A COBRA CONTINUATION PROVISION, AND EITHER THE COVERAGE WAS TERMINATED AS A RESULT OF LOSS OF ELIGIBILITY FOR THE COVERAGE, INCLUDING LOSS OF ELIGIBILITY AS A RESULT OF LEGAL SEPARATION, DIVORCE, DEATH, TERMINATION OF EMPLOYMENT, OR REDUCTION IN THE NUMBER OF HOURS OF EMPLOYMENT, OR EMPLOYER CONTRIBUTIONS TOWARDS THE COVERAGE WERE TERMINATED.

15-1407.

A CARRIER MAY NOT REQUIRE AN INDIVIDUAL MEMBER OF A GROUP TO PAY A PREMIUM OR CONTRIBUTION THAT IS GREATER THAN THE PREMIUM OR CONTRIBUTION FOR A SIMILARLY SITUATED INDIVIDUAL, BASED ON ANY HEALTH STATUS-RELATED FACTOR.

15-1408.

A CARRIER SHALL RENEW GROUP HEALTH BENEFIT PLANS AT THE OPTION OF THE POLICYHOLDER OR PLAN SPONSOR, EXCEPT IN ANY OF THE FOLLOWING CASES:

(1) FOR NONPAYMENT OF THE REQUIRED PREMIUM;

(2) WHERE THE POLICYHOLDER OR PLAN SPONSOR HAS PERFORMED AN ACT OR PRACTICE THAT CONSTITUTES FRAUD;

(3) WHERE THE POLICYHOLDER OR PLAN SPONSOR HAS MADE AN INTENTIONAL MISREPRESENTATION OF MATERIAL FACT UNDER THE TERMS OF THE COVERAGE;

(4) WHERE THE POLICYHOLDER OR PLAN SPONSOR HAS FAILED TO COMPLY WITH A MATERIAL PLAN PROVISION RELATING THE EMPLOYER CONTRIBUTIONS OR GROUP PARTICIPATION RULES;