

(3) "ELIGIBLE INDIVIDUAL" MEANS AN INDIVIDUAL WHO QUALIFIES TO PARTICIPATE IN THE MARYLAND CHILDREN'S HEALTH PROGRAM UNDER § 15-301(B) OF THIS SUBTITLE AND WHOSE FAMILY INCOME IS ABOVE 200 PERCENT, BUT AT OR BELOW 300 PERCENT OF THE FEDERAL POVERTY GUIDELINES.

(4) "FAMILY CONTRIBUTION" MEANS THE PORTION OF THE PREMIUM COST PAID FOR AN ELIGIBLE INDIVIDUAL TO ENROLL AND PARTICIPATE IN THE MARYLAND CHILDREN'S HEALTH PROGRAM.

(5) "MCHP PRIVATE OPTION PLAN" MEANS THE PLAN ESTABLISHED UNDER THIS SECTION TO PROVIDE ACCESS TO HEALTH INSURANCE COVERAGE TO ELIGIBLE INDIVIDUALS THROUGH EMPLOYER-SPONSORED HEALTH BENEFIT PLANS AND MANAGED CARE ORGANIZATIONS UNDER THE MARYLAND CHILDREN'S HEALTH PROGRAM.

(B) THIS SECTION APPLIES ONLY TO INDIVIDUALS WHOSE FAMILY INCOME IS ABOVE 200 PERCENT, BUT AT OR BELOW 300 PERCENT OF THE FEDERAL POVERTY GUIDELINES.

(C) (1) AN ELIGIBLE INDIVIDUAL WHO IS ENROLLED IN THE MCHP PRIVATE OPTION PLAN SHALL BE INSURED THROUGH AN EMPLOYER'S HEALTH BENEFIT PLAN IF:

(I) THE EMPLOYER OFFERS FAMILY HEALTH INSURANCE COVERAGE TO THE PARENT OR GUARDIAN OF AN ELIGIBLE INDIVIDUAL;

(II) THE EMPLOYER ELECTS TO PARTICIPATE IN THE MCHP PRIVATE OPTION PLAN;

(III) THE PARENT OR GUARDIAN OF AN ELIGIBLE INDIVIDUAL IS INSURED UNDER THE EMPLOYER-SPONSORED HEALTH BENEFIT PLAN;

(IV) THE EMPLOYER CONTRIBUTES TO FAMILY HEALTH INSURANCE COVERAGE AT A RATE NO LESS THAN 50 PERCENT OF ANNUAL PREMIUMS;

(V) THE PLAN INCLUDES A BENEFIT PACKAGE THAT IS DETERMINED BY THE DEPARTMENT TO BE AT LEAST EQUIVALENT TO THE COMPREHENSIVE STANDARD HEALTH BENEFIT PLAN ESTABLISHED UNDER § 15-1207 OF THE INSURANCE ARTICLE; AND

(VI) THE PLAN DOES NOT IMPOSE COSTSHARING REQUIREMENTS ON ELIGIBLE INDIVIDUALS.

(2) IF AN EMPLOYER-SPONSORED HEALTH BENEFIT PLAN THAT MEETS THE CRITERIA UNDER PARAGRAPH (1) OF THIS SUBSECTION IS NOT AVAILABLE TO THE ELIGIBLE INDIVIDUAL, THE ELIGIBLE INDIVIDUAL SHALL BE INSURED THROUGH A MANAGED CARE ORGANIZATION AS DEFINED IN § 15-101(F) OF THIS TITLE.

(D) THE DEPARTMENT SHALL FACILITATE COVERAGE OF ELIGIBLE INDIVIDUALS UNDER AN EMPLOYER-SPONSORED HEALTH BENEFIT PLAN BY: