

(ii) the particular health benefit plan for all small employers in the State; OR

(5) IN THE CASE OF A HEALTH MAINTENANCE ORGANIZATION, WHERE THERE IS NO LONGER ANY ENROLLEE WHO LIVES, RESIDES, OR WORKS IN THE HEALTH MAINTENANCE ORGANIZATION'S APPROVED SERVICE AREA.

[(6) if the Commissioner finds that continuation of coverage would:

(i) not be in the best interests of policyholders or certificate holders; or

(ii) impair the carrier's ability to meet its contractual obligations; or

(7) for reasons stated in § 19-725(b) of the Health - General Article, if the carrier is a health maintenance organization.]

(c) When a carrier elects not to renew all health benefit plans in the State, the carrier:

(1) shall give notice of its decision to the affected small employers and the insurance regulatory authority of each state in which an eligible employee or dependent resides at least 180 days before the effective date of nonrenewal;

(2) shall give notice to the Commissioner at least 30 working days before giving the notice specified in item (1) of this subsection; and

(3) may not write new business for small employers in the State for a period of 5 years beginning on the date of notice to the Commissioner.

(D) WHEN A CARRIER ELECTS NOT TO RENEW A PARTICULAR HEALTH BENEFIT PLAN FOR ALL SMALL EMPLOYERS IN THE STATE, THE CARRIER SHALL:

(1) PROVIDE NOTICE OF THE NONRENEWAL AT LEAST 90 DAYS BEFORE THE DATE OF THE NONRENEWAL TO:

(I) EACH AFFECTED:

1. SMALL EMPLOYER; AND
2. ENROLLED EMPLOYEE; AND

(II) THE COMMISSIONER;

(2) OFFER TO EACH AFFECTED SMALL EMPLOYER THE OPTION TO PURCHASE ALL OTHER HEALTH BENEFIT PLANS CURRENTLY OFFERED BY THE CARRIER IN THE SMALL GROUP MARKET; AND

(3) ACT UNIFORMLY WITHOUT REGARD TO THE CLAIMS EXPERIENCE OF ANY AFFECTED SMALL EMPLOYER, OR ANY HEALTH STATUS-RELATED FACTOR OF ANY AFFECTED INDIVIDUAL.