

(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.

[(d)](E) Within 7 days after cancellation or nonrenewal of a health benefit plan, the carrier shall send to each enrolled employee written notice of its action and the conversion rights available to each enrolled employee under § 15-412 of this article.

15-1301.

(h) "Eligible individual" means an individual:

(1) (i) for whom, as of the date on which the individual seeks coverage under this subtitle, the aggregate of the periods of creditable coverage is 18 or more months; and

(ii) whose most recent prior creditable coverage was under an employer sponsored plan, governmental plan, church plan, or health benefit plan offered in connection with any of these plans;

(2) who is not eligible for coverage under:

- (i) an employer sponsored plan;
- (ii) Part A or Part B of Title XVIII of the Social Security Act; OR
- (iii) a State plan under Title XIX of the Social Security Act; [or
- (iv) a health benefit plan;]

(3) WHO DOES NOT HAVE COVERAGE UNDER A HEALTH BENEFIT PLAN;