

(d) (3) A carrier or [agent] INSURANCE PRODUCER of a carrier need not provide the statement required under paragraph (1) of this subsection for:

(i) a policy or certificate that is issued in accordance with a contract under § 1876 of the federal Social Security Act, 42 U.S.C. § 1395(mm);

(ii) a disability income policy; or

(iii) a policy or contract of one or more employers or labor organizations or the trustees of a fund established by one or more employers or labor organizations or a combination of employers or labor organizations, for employees, former employees, a combination of employees or former employees, members, former members, or a combination of members or former members of the labor organization.

15-922.

(b) A carrier or other entity may provide a commission or other compensation to an [agent] INSURANCE PRODUCER or other representative for the sale of a Medicare supplement policy or certificate only if the first year commission or other first year compensation is not more than 200% of the commission or other compensation paid for selling or servicing the Medicare supplement policy or certificate in the second year or period.

(d) If an existing Medicare supplement policy or certificate is replaced, the carrier or other entity may not provide to its [agents] INSURANCE PRODUCERS or other producers, and an [agent] INSURANCE PRODUCER or other producer may not receive, compensation greater than the renewal compensation payable by the succeeding carrier on renewal Medicare supplement policies or certificates.

15-924.

(b) (1) When soliciting the sale of a health insurance policy to an individual eligible for Medicare, a carrier or [agent] INSURANCE PRODUCER shall ask the individual whether the individual:

(i) is already covered by an existing Medicare supplement policy; and

(ii) is entitled to Medicaid benefits.

(2) The carrier or [agent] INSURANCE PRODUCER shall obtain a written statement from the individual that verifies the individual's information provided under paragraph (1) of this subsection.

(c) When soliciting or advertising the sale of a health insurance policy to an individual eligible for Medicare, a carrier or [agent] INSURANCE PRODUCER may not:

(1) represent or imply that the carrier or [agent] INSURANCE PRODUCER represents, works for, or is compensated by a federal, State, or local government agency;