

(2) THE LEVEL OF SUBSIDIES TO BE PROVIDED UNDER THE PROGRAM.

15-12A-03.

(A) A SMALL EMPLOYER AND THE EMPLOYEES OF THE SMALL EMPLOYER SHALL BE ELIGIBLE FOR A SUBSIDY OF ~~HEALTH INSURANCE~~ SMALL EMPLOYER HEALTH BENEFIT PLAN PREMIUMS IF THE SMALL EMPLOYER:

(1) AT THE TIME OF INITIAL APPLICATION FOR THE SUBSIDY:

(I) HAS NOT OFFERED ~~HEALTH INSURANCE~~ A SMALL EMPLOYER HEALTH BENEFIT PLAN TO ITS EMPLOYEES FOR AT LEAST 12 CONSECUTIVE MONTHS;

(II) HAS AT LEAST TWO BUT NOT MORE THAN NINE ~~FULL-TIME~~ ELIGIBLE EMPLOYEES; AND

(III) MEETS SALARY AND WAGE REQUIREMENTS ESTABLISHED BY THE COMMISSION;

(2) OFFERS A SMALL EMPLOYER HEALTH BENEFIT PLAN TO ITS EMPLOYEES;

~~(2)~~ (3) ESTABLISHES A PAYROLL DEDUCTION PLAN ~~THAT SATISFIES~~ UNDER § 125 OF THE INTERNAL REVENUE CODE;

~~(3)~~ (4) AGREES TO OFFER A ~~BONA FIDE WELLNESS PROGRAM~~ WELLNESS BENEFIT, AS REQUIRED BY THE COMMISSION; AND

~~(4)~~ (5) MEETS ANY OTHER REQUIREMENTS ESTABLISHED BY THE COMMISSION.

(B) A SUBSIDY ~~OF HEALTH INSURANCE PREMIUM CONTRIBUTIONS MADE BY A SMALL EMPLOYER;~~ PROVIDED TO A SMALL EMPLOYER UNDER THE PROGRAM;

(1) SHALL OFFSET A PORTION OF THE SMALL EMPLOYER HEALTH BENEFIT PLAN PREMIUM CONTRIBUTIONS MADE BY A SMALL EMPLOYER;

~~(1)~~ (2) MAY NOT EXCEED THE LOWER OF: