

(G) (1) IN THIS SUBSECTION, "PROMINENT CARRIER" MEANS A CARRIER THAT INSURES AT LEAST 10% OF THE TOTAL LIVES INSURED IN THE SMALL GROUP MARKET.

(2) (I) A PROMINENT CARRIER SHALL OFFER A WELLNESS BENEFIT FOR A HEALTH BENEFIT PLAN OFFERED UNDER THIS SUBTITLE.

(II) A CARRIER THAT IS NOT A PROMINENT CARRIER MAY OFFER A WELLNESS BENEFIT FOR A HEALTH BENEFIT PLAN OFFERED UNDER THIS SUBTITLE.

(3) A CARRIER MAY NOT CONDITION THE SALE OF A WELLNESS BENEFIT TO A SMALL EMPLOYER ON PARTICIPATION OF THE ELIGIBLE EMPLOYEES OF THE SMALL EMPLOYER IN WELLNESS PROGRAMS OR ACTIVITIES.

15-1206.

(G) (1) A LICENSED INSURANCE PRODUCER ~~SHALL PROVIDE TO A SMALL EMPLOYER INFORMATION ABOUT,~~ IN CONNECTION WITH THE SALE, SOLICITATION, OR NEGOTIATION OF A HEALTH BENEFIT PLAN TO A SMALL EMPLOYER, SHALL:

(I) ~~BONA FIDE WELLNESS PROGRAMS:~~

~~1. AS DEFINED IN § 27-210 OF THIS ARTICLE; AND~~

~~2. THAT MEET THE REQUIREMENTS OF ANY REGULATIONS ADOPTED BY THE COMMISSION~~ PROVIDE INFORMATION TO THE SMALL EMPLOYER ABOUT WELLNESS BENEFITS; AND

(II) ~~THE~~ ADVISE THE SMALL EMPLOYER TO CONSULT A TAX ADVISOR ABOUT THE TAX ADVANTAGES OF A PAYROLL DEDUCTION PLAN ~~THAT SATISFIES UNDER~~ § 125 OF THE INTERNAL REVENUE CODE.

(2) THE INFORMATION SHALL BE PROVIDED:

(I) WHENEVER THE EMPLOYER PURCHASES OR RENEWS A HEALTH ~~INSURANCE POLICY~~ BENEFIT PLAN; AND

(II) ON REQUEST.