

(3) AN INSURER OR AGENT SHALL NOT NEGLIGENTLY OR KNOWINGLY SELL OR OFFER TO SELL A MEDICARE SUPPLEMENT POLICY TO ANY PERSON ELIGIBLE FOR MEDICAID BENEFITS.

[(b)] (C) When soliciting or advertising the sale of a health insurance policy to a person eligible for Medicare, an insurer or agent may not:

(1) Represent or imply that the insurer or agent in any way represents or is working for or is compensated by a federal, State, or local government;

(2) Falsely represent or imply that the insurer or agent is offering insurance approved or recommended by any federal, State, or local government agency to supplement Medicare;

(3) Make use of terms such as Medicare consultant, Medicare advisor, Medicare bureau, or disability insurance consultant in a letter, envelope, reply card or in any other writing, or advertisement, or in any oral representation describing the insurer or the agent or agency;

(4) Make any misrepresentation or incomplete comparison by commission or omission, for the purpose of inducing or attempting to induce the Medicare eligible person to purchase, amend, lapse, surrender, forfeit, change, duplicate, or not renew coverage already in force, or to replace a policy that is only technically at variance with the policy or policies being offered.

[(c)] (D) Unless the policy conforms to the requirements of § 468C of this subtitle, an insurer or agent may not use the terms "Medicare supplement", "Medigap", or words of similar import in advertising or otherwise in the solicitation of the sale of a health insurance policy.

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(a) The provisions of §§ 468B through 468GB, inclusive, of this article, known as the Medicare Supplement Act, shall apply to any Medicare supplement group and blanket policies and certificates issued by insurers subject to this subtitle.

(b) The provisions of § 468H of this article shall apply to any group or blanket health insurance policy issued or delivered in the State.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.

Approved May 14, 1991.