(b) There shall be no more than 150 recipients enrolled in the Program at any 1 time.

(c) An individual is eligible for the Program if:

(1) Cash assets owned by the individual's family, including savings accounts, checking accounts, and stocks and bonds, do not exceed $10,000;

(2) The individual's family income, earned and unearned, does not exceed 300 percent of the federal poverty level;

(3) (I) The individual is eligible for AND HAS APPLIED FOR continuation of benefits [through] UNDER ONE OF THE FOLLOWING AUTHORITIES:

[(i)] 1. The [former employer and the provisions of the] Consolidated Omnibus Budget Reconciliation Act of 1985, P.L. 99-272, and any subsequent modifications to that Act; [or]

[(ii)]2. The Federal Employees Health Benefits Amendment Act of 1988, P.L. 100-654, and any subsequent modifications to that Act; OR

3. ARTICLE 48A OF THE CODE; OR

(II) THE INDIVIDUAL IS RECEIVING HEALTH BENEFITS:

1. UNDER A POLICY ISSUED BY AN AUTHORIZED INSURER OR NONPROFIT HEALTH SERVICE PLAN;

2. AS AN ENROLLEE OF AN AUTHORIZED HEALTH MAINTENANCE ORGANIZATION; OR

3. FROM AN EMPLOYER UNDER A HEALTH BENEFITS PLAN THAT MEETS THE CONDITIONS OF THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974, 29 U.S.C. § 1001 ET. SEQ., AND ANY SUBSEQUENT MODIFICATIONS TO THAT ACT;

(4) The individual is not eligible for health insurance through another family member;

(5) A physician certifies that the individual is:

(i) HIV positive; and

(ii) Due to this illness, the individual is either too ill to continue working in the individual's current position, or there is a substantial likelihood that within 3 months the individual will be unable to work; [and]

(6) The individual is a resident of the State; AND

(7) THE DEPARTMENT DETERMINES THAT IT IS COST EFFECTIVE TO ENROLL THE INDIVIDUAL IN THE PROGRAM.