

---

By: **Delegates Busch, Donoghue, Kach, and Pendergrass**

Introduced and read first time: March 4, 2002

Assigned to: Rules and Executive Nominations

Re-referred to: Economic Matters, March 11, 2002

---

Committee Report: Favorable

House action: Adopted

Read second time: March 21, 2002

---

CHAPTER 284

1 AN ACT concerning

2 **Health Insurance - Small Group - Open Enrollment Period**

3 FOR the purpose of altering the open enrollment period for certain health insurance;  
4 repealing a certain provision allowing certain carriers to deny coverage to  
5 self-employed individuals who apply for a health benefit plan at times other  
6 than the carrier's open enrollment period; and generally relating to the small  
7 group health insurance open enrollment period.

8 BY repealing and reenacting, with amendments,  
9 Article - Insurance  
10 Section 15-1210(a)  
11 Annotated Code of Maryland  
12 (1997 Volume and 2001 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Insurance**

16 15-1210.

17 (a) [(1)] A carrier that offers coverage to a small employer shall:

18 [(i)] (1) offer coverage to all of its eligible employees and all of  
19 their eligible dependents;

1 [(ii)] (2) at the election of the small employer, offer coverage to all  
2 of its part-time employees who have a normal workweek of at least 17 ½ but less than  
3 30 hours per week and have been continuously employed for at least 4 consecutive  
4 months;

5 [(iii)] (3) at the election of the small employer, offer coverage to all  
6 of its employees who are covered under another public or private plan of health  
7 insurance or another health benefit arrangement; and

8 [(iv)] (4) establish an annual open enrollment period for  
9 self-employed individuals for at least 30 consecutive days in each [6-month]  
10 12-MONTH period.

11 [(2)] Notwithstanding any other provision of this section and §§ 15-1209,  
12 15-1211, and 15-1213 of this subtitle, a carrier may deny coverage to a self-employed  
13 individual who applies for a health benefit plan at a time other than the carrier's  
14 annual open enrollment period.]

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2002.