

Article - Insurance

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§15–302.

(a) Group health insurance is health insurance issued to persons specified in this section to cover the groups of individuals described in this section, with or without their dependents or family members, or to cover their dependents or family members.

(b) (1) (i) In this subsection, “employee” may include:

1. an officer or manager of the employer;
2. a sole proprietor if the employer is a sole proprietorship;
3. a partner if the employer is a partnership;
4. an officer, manager, or employee of a corporation that is an affiliate or subsidiary of the employer;
5. a sole proprietor, partner, or employee of a sole proprietorship or partnership if the businesses of the employer and sole proprietorship or partnership are under common control through stock ownership, contract, or otherwise;
6. a retired employee;
7. an elected or appointed official of a public body, but only if the policy is issued to insure employees of the public body; and
8. a trustee of the fund, employee of the trustee, or both if the duties of the trustee or employee are connected principally with the trusteeship.

(ii) “Employee” does not include a director of a corporate employer unless the director is otherwise eligible as an employee of the corporation by performing services other than the usual duties of a director.

(2) A policy of group health insurance may be issued to an employer or the trustees of a fund established by an employer to cover employees of the employer for the benefit of persons other than the employer.

(3) The employer or trustees to which the policy is issued are deemed the policyholder.

(c) (1) In this subsection, “employee” may include a retired employee.

(2) A policy of group health insurance may be issued to an association, including a labor union, that has a constitution and bylaws and that is organized and

maintained in good faith for purposes other than that of obtaining insurance, to cover members, employees, or employees of members of the association for the benefit of persons other than the association or its officers or trustees.

(d) (1) In this subsection, “employee” may include:

(i) an officer or manager of the employer;

(ii) a sole proprietor if the employer is a sole proprietorship;

(iii) a partner if the employer is a partnership;

(iv) a retired employee; and

(v) a trustee of the fund, employee of the trustee, or both if the duties of the trustee or employee are connected principally with the trusteeship.

(2) A policy of group health insurance may be issued to the trustees of a fund established by two or more employers in the same or related industry, by one or more labor unions, by one or more employers and one or more labor unions, or by an association described in subsection (b) of this section, to cover employees of the employers, members of the unions, members of the association, or employees of members of the association, for the benefit of persons other than the employers, unions, or association.

(3) The trustees to which the policy is issued are deemed the policyholder.

(e) A policy of group health insurance may be issued to a person to which a policy of group life insurance may be issued or delivered in the State, to cover a class or classes of individuals eligible for insurance under the group life policy.

(f) A policy of group health insurance may be issued to cover any other substantially similar group that, in the discretion of the Commissioner, may be eligible for group health insurance.

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