

HOUSE BILL 1129

C3

9lr2351

By: **Delegate Reznik**

Introduced and read first time: February 8, 2019

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Insurance – Medicare Supplement Policy Plans – Open Enrollment Period**
3 **Following Birthday**

4 FOR the purpose of requiring a carrier to make available to an individual enrolled in a
5 Medicare supplement policy plan different Medicare supplement policy plans with
6 certain benefits during a certain time period following the individual's birthday;
7 prohibiting a carrier, for a plan made to be available under a certain provision of this
8 Act, from denying or conditioning the effectiveness of the plan on certain factors and
9 from denying, reducing, or conditioning coverage to the individual based on certain
10 factors; requiring a certain carrier to provide certain notice to an insured within a
11 certain time period; and generally relating to Medicare supplement policy plans.

12 BY adding to
13 Article – Insurance
14 Section 15–909(b)(6)
15 Annotated Code of Maryland
16 (2017 Replacement Volume and 2018 Supplement)

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

19 **Article – Insurance**

20 15–909.

21 (b) (6) (i) DURING THE 30 DAYS FOLLOWING THE BIRTHDAY OF AN
22 INDIVIDUAL ENROLLED IN A MEDICARE SUPPLEMENT POLICY PLAN, A CARRIER
23 SHALL MAKE AVAILABLE TO THE INDIVIDUAL DIFFERENT MEDICARE SUPPLEMENT
24 POLICY PLANS WITH BENEFITS THAT ARE EQUAL TO OR LESSER THAN THE BENEFITS
25 OF THE INDIVIDUAL'S EXISTING COVERAGE.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(II) FOR A MEDICARE SUPPLEMENT POLICY PLAN REQUIRED TO**
2 **BE MADE AVAILABLE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, A CARRIER:**

3 **1. MAY NOT DENY OR CONDITION THE ISSUANCE OR**
4 **EFFECTIVENESS OF A MEDICARE SUPPLEMENT POLICY PLAN BECAUSE OF THE**
5 **HEALTH STATUS, CLAIMS EXPERIENCE, RECEIPT OF HEALTH CARE, OR MEDICAL**
6 **CONDITION OF THE INDIVIDUAL; OR**

7 **2. MAY NOT DENY, REDUCE, OR CONDITION COVERAGE**
8 **TO THE INDIVIDUAL FOR A MEDICARE SUPPLEMENT POLICY PLAN BECAUSE OF THE**
9 **HEALTH STATUS, CLAIMS EXPERIENCE, OR MEDICAL CONDITION OF THE**
10 **INDIVIDUAL OR THE USE OF MEDICAL CARE BY THE INDIVIDUAL.**

11 **(III) A CARRIER THAT OFFERS MEDICARE SUPPLEMENT POLICY**
12 **PLANS SHALL NOTIFY AN INSURED OF THE INSURED'S RIGHTS UNDER THIS**
13 **PARAGRAPH AT LEAST 30 DAYS, BUT NOT MORE THAN 60 DAYS, BEFORE THE**
14 **INSURED'S BIRTHDAY.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2019.