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By: **Chairman, Health and Government Operations Committee (By Request  
- Departmental - Insurance Administration, Maryland)**

Introduced and read first time: February 4, 2004

Assigned to: Health and Government Operations

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A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance - Medicare Supplement - Repeal of Prohibited Solicitation**

3 FOR the purpose of repealing a certain prohibition against selling a Medicare  
4 supplement policy to an individual eligible for Medicaid benefits; making this  
5 Act an emergency measure; and generally relating to the sale of a Medicare  
6 supplement policy.

7 BY repealing and reenacting, with amendments,  
8 Article - Insurance  
9 Section 15-925  
10 Annotated Code of Maryland  
11 (2002 Replacement Volume and 2003 Supplement)

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

14 **Article - Insurance**

15 15-925.

16 (a) When soliciting the sale of a health insurance policy, a carrier or insurance  
17 producer may not knowingly offer a Medicare supplement policy to an individual not  
18 eligible for Medicare.

19 [(b) A carrier or insurance producer may not negligently or knowingly sell or  
20 offer to sell a Medicare supplement policy to an individual eligible for Medicaid  
21 benefits.]

22 [(c) (B) A carrier or insurance producer may not negligently or knowingly sell  
23 or offer to sell to an individual a Medicare supplement policy that duplicates to any  
24 extent an existing Medicare supplement policy that covers that individual.

25 [(d) (C) A carrier or insurance producer may not use the terms "Medicare  
26 supplement", "Medigap", or other words of similar meaning in advertising or

1 otherwise in soliciting the sale of a health insurance policy or other policy, unless the  
2 policy conforms to §§ 15-904, 15-906, 15-907, and 15-908 of this subtitle.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an  
4 emergency measure, is necessary for the immediate preservation of the public health  
5 or safety, has been passed by a ye and nay vote supported by three-fifths of all the  
6 members elected to each of the two Houses of the General Assembly, and shall take  
7 effect from the date it is enacted.