

SENATE BILL 952

C3

71r2677

By: ~~Senator Middleton~~ **Senators Middleton and Madaleno**

Introduced and read first time: February 28, 2007

Assigned to: Rules

Re-referred to: Finance, March 2, 2007

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 20, 2007

CHAPTER _____

1 AN ACT concerning

2 **Health Insurance – Small Group Market – Choice of Policies for Sole**
3 **Proprietors**

4 FOR the purpose of providing that certain individuals enrolled on a certain date in
5 certain health benefit plans may remain covered under any policy offered by
6 certain ~~health benefit plans~~ health insurance carriers to small employers under
7 certain circumstances; ~~requiring certain health insurance carriers to establish~~
8 ~~annual open enrollment periods for certain individuals; defining a certain term;~~
9 and generally relating to health insurance policies for sole proprietors.

10 BY repealing and reenacting, with amendments,
11 Chapter 347 of the Acts of the General Assembly of 2005
12 Section 2

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

15 **Chapter 347 of the Acts of 2005**

16 SECTION 2. AND BE IT FURTHER ENACTED, That:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 ~~(A) [each]~~ **EACH** individual enrolled on September 30, 2005 in a health benefit
 2 plan **OFFERED BY A CARRIER** under Title 15, Subtitle 12 of the Insurance Article
 3 may at the option of the enrollee remain covered under ~~the policy issued under the~~
 4 ~~health benefit plan~~ **OR ANY POLICY ISSUED UNDER THE HEALTH BENEFIT PLAN**
 5 **OFFERED BY THE CARRIER TO SMALL EMPLOYERS AND SELECTED BY THE**
 6 **ENROLLEE DURING THE OPEN ENROLLMENT PERIOD DESCRIBED IN**
 7 **SUBSECTION (B) OF THIS SECTION AT RENEWAL**, subject to the termination
 8 provisions under § 15-1212(b) of the Insurance Article, provided the enrollee continues
 9 to:

10 (1) work and reside in the State; and

11 (2) is a self-employed individual organized as a sole proprietorship or
 12 in any other legally recognized manner that a self-employed individual may organize:

13 (i) a substantial part of whose income derives from a trade or
 14 business through which the individual has attempted to earn taxable income;

15 (ii) who has filed the appropriate Internal Revenue form or
 16 forms and schedule for the previous taxable year; and

17 (iii) for whom a copy of the appropriate Internal Revenue form or
 18 forms and schedule has been filed with the carrier.

19 ~~(B) (1) IN THIS SECTION, "OPEN ENROLLMENT PERIOD" MEANS A~~
 20 ~~PERIOD OF AT LEAST 30 CONSECUTIVE DAYS THAT OCCURS IN EACH 12-MONTH~~
 21 ~~PERIOD DURING WHICH AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF~~
 22 ~~SUBSECTION (A) OF THIS SECTION MAY CHOOSE ANY POLICY ISSUED UNDER THE~~
 23 ~~HEALTH BENEFIT PLAN OFFERED BY THE CARRIER WITH WHICH THE~~
 24 ~~INDIVIDUAL WAS ENROLLED ON SEPTEMBER 30, 2005.~~

25 ~~(2) A CARRIER THAT ENROLLS INDIVIDUALS WHO MEET THE~~
 26 ~~REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION SHALL ESTABLISH AN~~
 27 ~~OPEN ENROLLMENT PERIOD FOR INDIVIDUALS WHO MEET THE REQUIREMENTS~~
 28 ~~OF SUBSECTION (A) OF THIS SECTION.~~

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 30 July 1, 2007.