

SENATE BILL 98

C3

4lr0041

(PRE-FILED)

By: **Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

Requested: October 18, 2013

Introduced and read first time: January 8, 2014

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: January 17, 2014

CHAPTER _____

1 AN ACT concerning

2 **Health Insurance – Medicare Marketing Rules**

3 FOR the purpose of requiring an insurance producer, when soliciting or advertising
4 the sale of a Medicare Advantage Plan, Medicare Advantage Prescription Drug
5 Plan, Medicare Prescription Drug Plan (Part D), or Medicare Section 1876 cost
6 plan, to comply with the Centers for Medicare and Medicaid Services' Medicare
7 Marketing Guidelines, including the prohibitions against certain activities; and
8 generally relating to Medicare marketing rules.

9 BY adding to
10 Article – Insurance
11 Section 27–224
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2013 Supplement)

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

16 **Article – Insurance**

17 **27–224.**

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 **WHEN SOLICITING OR ADVERTISING THE SALE OF A MEDICARE**
 2 **ADVANTAGE PLAN, MEDICARE ADVANTAGE PRESCRIPTION DRUG PLAN,**
 3 **MEDICARE PRESCRIPTION DRUG PLAN (PART D), OR MEDICARE SECTION**
 4 **1876 COST PLAN, AN INSURANCE PRODUCER SHALL COMPLY WITH THE**
 5 **CENTERS FOR MEDICARE AND MEDICAID SERVICES' MEDICARE MARKETING**
 6 **GUIDELINES, AS MAY BE AMENDED FROM TIME TO TIME, INCLUDING THE**
 7 **PROHIBITIONS AGAINST:**

8 **(1) ENGAGING IN DOOR-TO-DOOR SOLICITATION, INCLUDING**
 9 **LEAVING WRITTEN INFORMATION AT A RESIDENCE OR ON A VEHICLE;**

10 **(2) APPROACHING A MEDICARE BENEFICIARY IN A COMMON**
 11 **AREA, INCLUDING A PARKING LOT, HALLWAY, LOBBY, OR SIDEWALK; AND**

12 **(3) ENGAGING IN TELEPHONE OR ELECTRONIC SOLICITATION.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 14 October 1, 2014.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.