

Chapter 25

(Senate Bill 98)

AN ACT concerning

Health Insurance – Medicare Marketing Rules

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

BY adding to

Article – Insurance

Section 27–224

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

Article – Insurance

27–224.

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

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

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

(3) ENGAGING IN TELEPHONE OR ELECTRONIC SOLICITATION.

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

Approved by the Governor, April 8, 2014.