

Chapter 787

(Senate Bill 794)

AN ACT concerning

**Health Insurance – Special Enrollment Period for Pregnancy – Coverage
Effective Date**

FOR the purpose of authorizing an individual who enrolls for coverage or enrolls a dependent for coverage during a certain special enrollment period for pregnancy to choose a certain date option on which the coverage will become effective; requiring the carrier, if the individual fails to select the effective date, to select a certain date option; and generally relating to special enrollment periods for health insurance.

BY repealing and reenacting, without amendments,

Article – Insurance

Section 15–1316(a) and (c) through (e)

Annotated Code of Maryland

(2017 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–1316(f)

Annotated Code of Maryland

(2017 Replacement Volume and 2025 Supplement)

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

Article – Insurance

15–1316.

(a) (1) In this section the following words have the meanings indicated.

(2) “Dependent” means an individual who is or who may become eligible for coverage under the terms of a health benefit plan because of a relationship with another individual.

(3) “Health care practitioner” has the meaning stated in § 1–301 of the Health Occupations Article.

(4) “Qualifying coverage in an eligible employer–sponsored plan” has the meaning stated in 45 C.F.R. § 155.300.

(c) A carrier participating in the Individual Exchange shall provide:

(1) the special enrollment periods specified in 45 C.F.R. § 155.420 for individuals who purchase coverage through the Individual Exchange; and

(2) a special enrollment period for an individual who purchases coverage through the Individual Exchange if the individual or a dependent of the individual becomes pregnant, as confirmed by a health care practitioner.

(d) A carrier shall provide:

(1) the special enrollment periods specified in 45 C.F.R. § 147.104(b)(2) for individuals who purchase coverage outside the Individual Exchange; and

(2) a special enrollment period for an individual who purchases coverage outside the Individual Exchange if the individual or a dependent of the individual becomes pregnant, as confirmed by a health care practitioner.

(e) A special enrollment period described in subsection (c)(2) or (d)(2) of this section shall:

(1) be open for a period of 90 days; and

(2) begin on the date the health care practitioner confirms the pregnancy.

(f) (1) If an individual enrolls for coverage during one of the open enrollment periods described in subsection (b) of this section or during one of the special open enrollment periods described in subsections (c)(1) and (d)(1) of this section, coverage shall be effective in accordance with the requirements in 45 C.F.R. § 155.420.

(2) **(I)** If an individual enrolls for coverage or enrolls a dependent for coverage during a special enrollment period described in subsection (c)(2) or (d)(2) of this section, the **INDIVIDUAL MAY CHOOSE WHETHER THE** coverage [shall become] **BECOMES** effective on:

1. the first day of the month in which the individual receives confirmation of pregnancy; **OR**

2. **THE FIRST DAY OF THE MONTH FOLLOWING THE DATE OF PLAN SELECTION.**

(II) IF THE INDIVIDUAL FAILS TO SELECT THE DAY ON WHICH COVERAGE BECOMES EFFECTIVE, THE CARRIER SHALL SELECT THE DAY FROM THOSE LISTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all health benefit plans issued, delivered, or renewed in the State on or after January 1, 2027.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2027.

Approved by the Governor, May 26, 2026.