

HOUSE BILL 1068

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6lr2114

By: **Delegate Solomon**

Introduced and read first time: February 10, 2026

Assigned to: Health

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Special Enrollment Period for Newly Hired Employees of**
3 **Small Businesses**

4 FOR the purpose of requiring certain health insurance carriers to provide certain special
5 enrollment periods for individuals who become employed by small employers that do
6 not offer employer–sponsored health plans; and generally relating to special
7 enrollment periods for health insurance.

8 BY repealing and reenacting, with amendments,

9 Article – Insurance

10 Section 15–1316(c) through (f)

11 Annotated Code of Maryland

12 (2017 Replacement Volume and 2025 Supplement)

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

15 **Article – Insurance**

16 15–1316.

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) A SPECIAL ENROLLMENT PERIOD FOR AN INDIVIDUAL WHO**
 2 **PURCHASES COVERAGE THROUGH THE INDIVIDUAL EXCHANGE BECAUSE THE**
 3 **INDIVIDUAL HAS BECOME EMPLOYED BY A SMALL EMPLOYER THAT DOES NOT**
 4 **OFFER AN EMPLOYER–SPONSORED HEALTH BENEFIT PLAN.**

5 (d) A carrier shall provide:

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

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

11 **(3) A SPECIAL ENROLLMENT PERIOD FOR AN INDIVIDUAL WHO**
 12 **PURCHASES COVERAGE OUTSIDE THE INDIVIDUAL EXCHANGE BECAUSE THE**
 13 **INDIVIDUAL HAS BECOME EMPLOYED BY A SMALL EMPLOYER THAT DOES NOT**
 14 **OFFER AN EMPLOYER–SPONSORED HEALTH BENEFIT PLAN.**

15 (e) **(1)** A special enrollment period described in subsection (c)(2) or (d)(2) of this
 16 section shall:

17 **[(1)] (I)** be open for a period of 90 days; and

18 **[(2)] (II)** begin on the date the health care practitioner confirms the
 19 pregnancy.

20 **(2) A SPECIAL ENROLLMENT PERIOD DESCRIBED IN SUBSECTION**
 21 **(C)(3) OR (D)(3) OF THIS SECTION SHALL:**

22 **(I) BE OPEN FOR A PERIOD OF 60 DAYS; AND**

23 **(II) BEGIN ON THE FIRST DAY OF EMPLOYMENT OF THE**
 24 **INDIVIDUAL BY A SMALL EMPLOYER THAT DOES NOT OFFER AN**
 25 **EMPLOYER–SPONSORED HEALTH BENEFIT PLAN.**

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

30 (2) If an individual enrolls for coverage or enrolls a dependent for coverage
 31 during a special enrollment period described in subsection (c)(2) or (d)(2) of this section, the
 32 coverage shall become effective on the first day of the month in which the individual
 33 receives confirmation of pregnancy.

1 **(3) IF AN INDIVIDUAL ENROLLS FOR COVERAGE OR ENROLLS A**
2 **DEPENDENT FOR COVERAGE DURING A SPECIAL ENROLLMENT PERIOD DESCRIBED**
3 **IN SUBSECTION (C)(3) OR (D)(3) OF THIS SECTION, THE COVERAGE SHALL BECOME**
4 **EFFECTIVE ON THE FIRST DAY OF THE MONTH FOLLOWING THE DATE OF PLAN**
5 **SELECTION.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 January 1, 2027.