

HOUSE BILL 1068

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By: ~~Delegate Solomon~~ **Delegates Solomon, Alston, Bagnall, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kaufman, Kipke, Lopez, Martinez, Rosenberg, Ross, Taveras, White Holland, and Woorman**

Introduced and read first time: February 10, 2026

Assigned to: Health

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 2026

CHAPTER _____

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 the individual’s dependents; and
7 generally relating to special enrollment periods for health insurance.

8 BY repealing and reenacting, with amendments,

9 Article – Insurance

10 Section ~~15–1316(e)~~ 15–1316(a) and (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 (a) (1) In this section the following words have the meanings indicated.

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

4 (3) “EMPLOYER-SPONSORED HEALTH BENEFIT PLAN” HAS THE
 5 MEANING STATED IN § 15-1104(A) OF THIS TITLE.

6 [(3)] (4) “Health care practitioner” has the meaning stated in § 1-301 of
 7 the Health Occupations Article.

8 [(4)] (5) “Qualifying coverage in an eligible employer-sponsored plan”
 9 has the meaning stated in 45 C.F.R. § 155.300.

10 (6) “SMALL EMPLOYER” HAS THE MEANING STATED IN § 31-101(AA)
 11 OF THIS ARTICLE.

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

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

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

18 (3) A SPECIAL ENROLLMENT PERIOD FOR:

19 (1) AN INDIVIDUAL WHO:

20 1. PURCHASES COVERAGE THROUGH THE INDIVIDUAL
 21 EXCHANGE BECAUSE THE INDIVIDUAL HAS BECOME EMPLOYED TO WORK A
 22 MINIMUM OF 30 HOURS PER WEEK BY A SMALL EMPLOYER THAT DOES NOT OFFER
 23 AN EMPLOYER-SPONSORED HEALTH BENEFIT PLAN; AND

24 2. PROVIDES THE INDIVIDUAL EXCHANGE WITH A FORM
 25 DEVELOPED BY THE COMMISSIONER AND COMPLETED BY THE EMPLOYER THAT
 26 INDICATES:

27 A. THE FIRST DAY OF EMPLOYMENT OF THE INDIVIDUAL;
 28 AND

29 B. THAT THE INDIVIDUAL WAS HIRED TO WORK A
 30 MINIMUM OF 30 HOURS PER WEEK; AND

1 **(II) EACH DEPENDENT OF THE INDIVIDUAL DESCRIBED IN ITEM**
 2 **(I) OF THIS ITEM.**

3 (d) A carrier shall provide:

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

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

9 **(3) A SPECIAL ENROLLMENT PERIOD FOR:**

10 **(I) AN INDIVIDUAL WHO:**

11 **1. PURCHASES COVERAGE OUTSIDE THE INDIVIDUAL**
 12 **EXCHANGE BECAUSE THE INDIVIDUAL HAS BECOME EMPLOYED TO WORK A**
 13 **MINIMUM OF 30 HOURS PER WEEK BY A SMALL EMPLOYER THAT DOES NOT OFFER**
 14 **AN EMPLOYER-SPONSORED HEALTH BENEFIT PLAN; AND**

15 **2. PROVIDES THE CARRIER WITH A FORM DEVELOPED**
 16 **BY THE COMMISSIONER AND COMPLETED BY THE EMPLOYER THAT INDICATES:**

17 **A. THE FIRST DAY OF EMPLOYMENT OF THE INDIVIDUAL;**
 18 **AND**

19 **B. THAT THE INDIVIDUAL WAS HIRED TO WORK A**
 20 **MINIMUM OF 30 HOURS PER WEEK; AND**

21 **(II) EACH DEPENDENT OF THE INDIVIDUAL DESCRIBED IN ITEM**
 22 **(I) OF THIS ITEM.**

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

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

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

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

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

1 **(II) BEGIN ON THE FIRST DAY OF EMPLOYMENT OF THE**
 2 **INDIVIDUAL BY A SMALL EMPLOYER THAT DOES NOT OFFER AN**
 3 **EMPLOYER-SPONSORED HEALTH BENEFIT PLAN AS INDICATED ON THE FORM**
 4 **DEVELOPED BY THE COMMISSIONER, COMPLETED BY THE EMPLOYER, AND**
 5 **PROVIDED TO THE INDIVIDUAL EXCHANGE IN ACCORDANCE WITH SUBSECTION**
 6 **(C)(3)(I)2 OF THIS SECTION OR THE CARRIER IN ACCORDANCE WITH SUBSECTION**
 7 **(D)(3)(I)2 OF THIS SECTION, AS APPLICABLE.**

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

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.