

SENATE BILL 134

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(PRE-FILED)

6lr0039
CF HB 275

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

Requested: September 16, 2025

Introduced and read first time: January 14, 2026

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Medicare Supplement Policies – Issuance – Requirements**

3 FOR the purpose of requiring a carrier that issues Medicare supplement policies to issue a
4 Medicare supplement policy to an individual who meets certain criteria during
5 certain special enrollment periods; and generally relating to Medicare supplement
6 policies.

7 BY repealing and reenacting, with amendments,
8 Article – Insurance
9 Section 15–909(b)
10 Annotated Code of Maryland
11 (2017 Replacement Volume and 2025 Supplement)

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

14 **Article – Insurance**

15 15–909.

16 (b) (1) If an application for a Medicare supplement policy or certificate is
17 submitted during the 6–month period beginning with the first month in which an
18 individual who is at least 65 years old first enrolls for benefits under Medicare Part B, a
19 carrier:

20 (i) may not deny or condition the issuance or effectiveness of the
21 Medicare supplement policy or certificate or discriminate in the pricing of the Medicare
22 supplement policy or certificate because of the health status, claims experience, receipt of
23 health care, or medical condition of the applicant; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(ii) may not deny, reduce, or condition coverage or apply an increased premium rating to an applicant for a Medicare supplement policy because of the health status, claims experience, or medical condition of the applicant or the use of medical care by the applicant.

(2) Notwithstanding paragraph (1)(ii) or [(6)(iii)2] **(8)(III)2** of this subsection, a carrier may include in a Medicare supplement policy a provision that complies with subsection (d) of this section.

(3) A CARRIER THAT ISSUES MEDICARE SUPPLEMENT POLICIES IN THE STATE SHALL ISSUE ANY MEDICARE SUPPLEMENT POLICY THE CARRIER SELLS TO AN INDIVIDUAL ELIGIBLE FOR MEDICARE IF THE INDIVIDUAL:

(I) WAS ENROLLED IN MEDICARE PART B WHILE ENROLLED IN THE MARYLAND MEDICAL ASSISTANCE PROGRAM;

(II) WAS NOT DISENROLLED OR TERMINATED FROM THE MARYLAND MEDICAL ASSISTANCE PROGRAM UNTIL AT LEAST 6 MONTHS FOLLOWING THE EFFECTIVE DATE OF ENROLLMENT IN MEDICARE PART B;

(III) APPLIES FOR THE MEDICARE SUPPLEMENT POLICY DURING THE 63-DAY PERIOD FOLLOWING THE LATER OF NOTICE OF TERMINATION OR DISENROLLMENT OR THE DATE OF TERMINATION FROM THE MARYLAND MEDICAL ASSISTANCE PROGRAM; AND

(IV) SUBMITS EVIDENCE OF THE DATE OF TERMINATION OR DISENROLLMENT FROM THE MARYLAND MEDICAL ASSISTANCE PROGRAM WITH THE APPLICATION FOR A MEDICARE SUPPLEMENT POLICY.

(4) A CARRIER THAT ISSUES MEDICARE SUPPLEMENT POLICIES IN THE STATE SHALL ISSUE ANY MEDICARE SUPPLEMENT POLICY CURRENTLY OPEN TO NEW ENROLLEES TO AN INDIVIDUAL ELIGIBLE FOR MEDICARE IF THE INDIVIDUAL:

(I) BECAME ELIGIBLE FOR MEDICARE BEFORE JANUARY 1, 2020;

(II) QUALIFIES UNDER ANY FEDERAL SPECIAL ENROLLMENT PERIOD GUARANTEED ISSUE RIGHT, INCLUDING FOR PLANS ISSUED ON OR AFTER JANUARY 1, 2020;

1 **(III) APPLIES FOR THE MEDICARE SUPPLEMENT POLICY DURING**
2 **THE 63-DAY PERIOD FOLLOWING THE QUALIFYING EVENT FOR THE FEDERAL**
3 **SPECIAL ENROLLMENT PERIOD GUARANTEED ISSUE RIGHT; AND**

4 **(IV) SUBMITS EVIDENCE OF THE DATE OF THE QUALIFYING**
5 **EVENT FOR THE FEDERAL SPECIAL ENROLLMENT PERIOD GUARANTEED ISSUE**
6 **RIGHT WITH THE APPLICATION FOR A MEDICARE SUPPLEMENT POLICY.**

7 **[(3)] (5)** (i) A carrier shall make available Medicare supplement
8 policy plans A and D to an individual who is under the age of 65 years but is eligible for
9 Medicare due to a disability, if an application for a Medicare supplement policy or certificate
10 is submitted:

11 1. during the 6-month period following the applicant's
12 enrollment in Part B of Medicare; or

13 2. if the applicant is notified by Medicare of the applicant's
14 retroactive enrollment in Medicare, during the 6-month period following notification of
15 enrollment in Medicare.

16 (ii) For a Medicare supplement policy plan A or D required to be
17 made available under subparagraph (i) of this paragraph, a carrier:

18 1. may not deny or condition the issuance or effectiveness of
19 a Medicare supplement policy plan A or D because of the health status, claims experience,
20 receipt of health care, or medical condition of the applicant; or

21 2. may not deny, reduce, or condition coverage to the
22 applicant for a Medicare supplement policy plan A or D because of the health status, claims
23 experience, or medical condition of the applicant or the use of medical care by the applicant.

24 (iii) For a Medicare supplement policy plan A required to be made
25 available under subparagraph (i) of this paragraph, a carrier may not charge individuals
26 who are under the age of 65 years, but are eligible for Medicare due to a disability, a rate
27 higher than the average of the premiums paid by all policyholders age 65 and older in the
28 State who are covered under that plan A policy form.

29 **[(4)] (6)** A carrier may elect to offer Medicare supplement policy plans to
30 individuals who are under the age of 65 years, but eligible for Medicare due to a disability,
31 in addition to the Medicare supplement policy plans A and D that are required to be offered
32 under paragraph **[(3)(i)] (5)(I)** of this subsection.

33 **[(5)] (7)** **[Nothing in paragraph (3)] PARAGRAPH (5)** of this subsection
34 may **NOT** be construed to require a carrier to offer a Medicare supplement policy plan to
35 individuals who are under the age of 65 years, but are eligible for Medicare due to a
36 disability, if the plan is not offered to individuals who are eligible for Medicare due to age.

1 ~~[(6)]~~ (8) (i) This paragraph applies only on and after July 1, 2023.

2 (ii) During the 30 days following the birthday of an individual
3 enrolled in a Medicare supplement policy, a carrier shall make available to the individual
4 different Medicare supplement policies with benefits that are equal to or less than the
5 benefits of the individual's existing coverage.

6 (iii) 1. For purposes of this paragraph, a Medicare supplement
7 policy has equal or lesser benefits unless:

8 A. it contains one or more significant benefits not included in
9 the Medicare supplement policy being replaced; or

10 B. it contains the same significant benefits included in the
11 Medicare supplement policy being replaced but it reduces the cost-sharing responsibilities
12 of the enrollee for the benefits.

13 2. The Commissioner shall adopt regulations establishing a
14 matrix for identifying which Medicare supplement policies have equal or lesser benefits.

15 (iv) For a Medicare supplement policy required to be made available
16 under subparagraph (ii) of this paragraph, a carrier may not:

17 1. deny or condition the issuance or effectiveness of a
18 Medicare supplement policy, or discriminate in the pricing of the policy, because of the
19 health status, claims experience, or medical condition of the individual or the receipt of
20 health care by the individual; or

21 2. deny, reduce, or condition coverage to the individual for a
22 Medicare supplement policy because of the health status, claims experience, or medical
23 condition of the individual or the use of medical care by the individual.

24 (v) A carrier that offers Medicare supplement policies shall notify an
25 insured of the insured's rights under this paragraph at least 30 days, but not more than 60
26 days, before the insured's birthday.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
28 1, 2026.