

SENATE BILL 794

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By: ~~Senator Lam~~ **Senators Lam and Gile**
Introduced and read first time: February 6, 2026
Assigned to: Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 1, 2026

CHAPTER _____

1 AN ACT concerning

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

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

9 BY repealing and reenacting, without amendments,
10 Article – Insurance
11 Section 15–1316(a) and (c) through (e)
12 Annotated Code of Maryland
13 (2017 Replacement Volume and 2025 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Insurance
16 Section 15–1316(f)
17 Annotated Code of Maryland
18 (2017 Replacement Volume and 2025 Supplement)

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

21 **Article – Insurance**

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 15–1316.

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

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

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

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

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

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

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

16 (d) A carrier shall provide:

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

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

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

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

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

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) (I) If an individual enrolls for coverage or enrolls a dependent for
31 coverage during a special enrollment period described in subsection (c)(2) or (d)(2) of this

1 section, the **INDIVIDUAL MAY CHOOSE WHETHER THE** coverage [shall become]
2 **BECOMES** effective on:

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

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.