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Lt. Governor



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Acting Commissioner

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BULLETIN 10-25 Corrected

Date: August 17, 2010

To: Life and Health Insurers

Re: Amendments to COMAR 31.04.14
Life and Health Insurance Guaranty Corporation Coverage—Notice Requirements

The purpose of this bulletin is to notify life and health insurers in Maryland of emergency amendments to COMAR 31.04.14 *Life and Health Insurance Guaranty Corporation Coverage—Notice Requirements*. These regulations were amended in response to House Bill 423, Chapter 414, Acts of 2010, which raised the liability limit for annuities under the Life and Health Insurance Guaranty Corporation from \$100,000 to \$250,000.

The new notice requirements were published as non-emergency regulations in the Maryland Register, volume 37, issue 16, on Friday, July 30, 2010. The same requirements were published as emergency regulations in the Maryland Register, volume 37, issue 17, on Friday, August 13, 2010, with an emergency effective date of October 1, 2010. Copies of the published regulations are attached for your convenience. It is expected that the non-emergency regulations will become effective before the emergency regulations expire.

The new notices are required to be provided, beginning October 1, 2010. However, if a carrier is unable to create the new notices and make the necessary system changes to meet the October 1, 2010 deadline and provides the old notice previously required by COMAR 31.04.14.03B, the insurer shall be required to provide a second notice to the individuals who received the old notice by December 1, 2010.

Questions about this bulletin may be directed to the Life/Health Section of the Maryland Insurance Administration at 410-468-2170.

Signature on file with original

Brenda A. Wilson
Associate Commissioner
Life and Health Section

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

B. It is expected there will be cost savings to agencies that provide training for EMS providers.

C. It is expected there will be a cost savings to agencies that provide training for EMS providers.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to William Seifarth, Director, Office of Licensure and Certification, Maryland Institute for Emergency Medical Services Systems, 653 Pratt Street, Baltimore, Maryland 21201, or call 800-762-7157, or email to wseifarth@miemss.org. Comments will be accepted through August 30, 2010. A public hearing has not been scheduled.

.07 Renewal.

A. At least 8 weeks before the expiration date of each license or certificate, MIEMSS shall mail renewal notices to each EMS provider whose license or certificate is expiring. The renewal notice shall be sent to the EMS provider's most recent address on file with the MIEMSS Office of Education, Licensure, and Certification, based on the initial application or information as updated by the EMS provider under Regulation .06F this chapter.

B. The renewal notice shall state the date the current licensure or certification expires.

C. An EMS provider who wishes to renew a license or certificate before the expiration date shall submit a completed application to MIEMSS on a form approved by MIEMSS at least 2 weeks before the expiration date together with verification of any required affiliation including verification of protocol currency.

D. If applying for renewal as a first responder, the individual shall submit to MIEMSS evidence of:

- (1) Current active status registration as a first responder or higher with the National Registry of Emergency Medical Technicians;
- (2) Successful completion a 12-hour refresher course; or
- (3) Successful completion of:
 - (a) A 6-hour or greater skills proficiency course; and
 - (b) Two hours of:
 - (i) Medical knowledge training;
 - (ii) Trauma knowledge training; and
 - (iii) Affiliation optional training;

E. If applying for renewal as an EMT-B the individual shall submit to MIEMSS evidence of:

- (1) Current active status registration as an EMT-Basic or higher with the National Registry of Emergency Medical Technicians;
- (2) Successful completion of a 24-hour refresher course;
- (3) Successful completion of:
 - (a) An approved skills competency evaluation and;
 - (b) 12 hours of approved continuing education content, including online competency-based courses, or traditional classroom content; or
- (4) Successful completion of:
 - (a) A 12-hour or greater skills proficiency course; and
 - (b) Four hours of:
 - (i) Medical knowledge training;
 - (ii) Trauma knowledge training; and
 - (iii) Affiliation optional training.

F. If applying for renewal as a CRT the individual shall submit to MIEMSS evidence of:

(1) Current active status registration as an EMT-Intermediate 99 or higher with the National Registry of Emergency Medical Technicians; or

(2) If applying for renewal as a CRT who has completed the CRT update program but did not gain NREMT-199 status, documentation of completion of all continuing education and skills proficiency verification requirements equivalent to the standards required for re-registration as an EMT-1/99 with the National Registry of Emergency Medical Technicians.

G. If applying for renewal as an EMT-P, the individual shall submit to MIEMSS evidence of current active status registration as an EMT-Paramedic with the National Registry of Emergency Medical Technicians;

H. If applying for renewal as an EMD the individual shall submit evidence of:

(1) Continued, active status registration with an approved national EMD program; or

(2) Successful completion of 24 hours of approved EMD-related continuing education offered by an approved EMD educational program.

I. Approved online or distributive learning may be utilized to achieve the continuing education requirements.

J. MIEMSS may extend a license or certificate for up to 6 months upon receipt of a written request for an extension before the expiration date.

K. Upon completion of the requirements for renewal, the individual shall receive a certificate or license valid for the appropriate certification or licensure period minus the period of any extension.

ROBERT R. BASS
Executive Director

**Title 31
MARYLAND INSURANCE
ADMINISTRATION**

Subtitle 04 INSURERS

31.04.14 Life and Health Insurance Guaranty Corporation Coverage — Notice Requirements

Authority: Insurance Article, §§2-109 and 9-414, Annotated Code of Maryland

Notice of Proposed Action

[10-219-P]

The Acting Insurance Commissioner proposes to amend Regulation .03 under COMAR 31.04.14 Life and Health Insurance Guaranty Corporation Coverage — Notice Requirements.

Statement of Purpose

The purpose of this action is to bring the required notice into compliance with the changes made by HB 435, Ch. 414, Acts of 2010. Additionally, where possible the Administration amended the notice to comply with the guidelines provided by the National Association of Insurance Commissioners.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

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Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Alexis E. Gibson, Regulations Coordinator, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202, or call (410) 468-2011, or email to agibson@mdinsurance.state.md.us, or fax to (410) 468-2020. Comments will be accepted through August 30, 2010. A public hearing has not been scheduled.

.03 Required Notice.

A. (text unchanged)

B. The notice required in §A of this regulation shall be in at least 12-point type and shall read as follows:

[NOTICE] (proposed for repeal)

NOTICE OF PROTECTION PROVIDED BY MARYLAND LIFE AND HEALTH INSURANCE GUARANTY CORPORATION

This notice provides a brief summary of the Maryland Life and Health Insurance Guaranty Corporation (the Corporation) and the protection it provides for policyholders. This safety net was created under Maryland law, which determines who and what is covered and the amounts of coverage.

The Corporation is not a department or unit of the State of Maryland and the liabilities or debts of the Life and Health Insurance Guaranty Corporation are not liabilities or debts of the State of Maryland.

The Corporation was established to provide protection in the unlikely event that your life, annuity, or health insurance company becomes financially unable to meet its obligations and is taken over by its Insurance Department. If this should happen, the Corporation will typically arrange to continue coverage and pay claims, in accordance with Maryland law, with funding from assessments paid by other insurance companies.

The basic protections provided by the Corporation are:

- Life Insurance
o \$300,000 in death benefits
o \$100,000 in cash surrender or withdrawal values
Health Insurance
o \$300,000 in health insurance benefits, including net cash surrenders and net cash withdrawal values
Annuities
o \$250,000 in withdrawal and cash values

The maximum amount of protection for each individual, regardless of the number of policies or contracts, are the amounts listed above.

NOTE: Certain policies and contracts may not be covered or fully covered. For example, coverage does not extend to any portion(s) of a policy or contract that the insurer does not guarantee, such as certain investment additions to the account value of a variable life insurance policy or a variable annuity contract. There are also various residency requirements and other limitations under Maryland law.

To learn more about the above protections, please visit the Corporation's website at www.mdlifeqa.org, or contact:

Maryland Life and Health Insurance Guaranty Corporation
1999 Reisterstown Road
P.O. Box 671—Suite 216C
Owings Mills, Maryland.21117
410-998-3907
Maryland Insurance Administration
200 St. Paul Place, Suite 2700
Baltimore, Maryland.21202
1-800-492-6116, ext. 2170

Insurance companies and agents are not allowed by Maryland law to use the existence of the Corporation or its coverage to encourage you to purchase any form of insurance. When selecting an insurance company, you should not rely on Corporation coverage. If there is any inconsistency between this notice and Maryland law, then Maryland law will control.

ELIZABETH SAMMIS
Acting Insurance Commissioner

Subtitle 10 HEALTH INSURANCE — GENERAL

31.10.25 Required Standard Provisions for Individual Nonprofit Health Service Plan Contracts

Authority: Insurance Article, §12-203(g), Annotated Code of Maryland

Notice of Proposed Action
[10-077-R]

The Acting Insurance Commissioner proposes to amend Regulations .02 and .04 under COMAR 31.10.25 Required Standard Provisions for Individual Nonprofit Health Service Plan Contracts. Because substantive changes have been made to the original proposal as published in 37:4 Md. R. 376—377 (February 12, 2010), this action is being repropose at this time.

Statement of Purpose

The purpose of this action is to define "coverage period" and specify when a carrier may obtain funds from the consumer prior to the premium due date. The intent of the amendments as a whole, is to clarify that the premium is due on the date the coverage period begins. The amendments address confusion within the industry regarding when payment can be expected for coverage.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Alexis E. Gibson, Regulations Coordinator, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore MD 21202, or call 410-468-2011, or email to agibson@mdinsurance.state.md.us, or fax to 410-468-2020. Comments will be accepted through August 30, 2010. A public hearing has not been scheduled.

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based on established performance evaluation criteria, and the employee demonstrates a strong potential for improvement.

(c) In order to extend the probationary period as provided in (b) above, the Local Board of Education shall give notice of such extension to an employee employed before January 1 following the commencement of a school year, not later than May 1 of the second year, and to an employee employed on or after January 1 following the commencement of a school year, not later than June 15 of the second year, or not later than 60 days prior to the second anniversary date, at the discretion of the Local Board of Education.

(d) If the probationary period is extended as provided in (b) and (c) above, the local school superintendent or designee shall assign a mentor to the employee and shall evaluate the employee at the end of the third year based on established performance evaluation criteria.

(e) A third-year probationary contract may be terminated by either party at the end of the third year by giving notice in writing as of the dates specified in subparagraph (a) above.]

(c) A certificated employee who has achieved tenure in a local school system and moves to another local school system shall retain tenure in the new local school system under the following conditions:

(i) The employee's contract is renewed after one year of probationary employment in the local school system to which the employee relocated;

(ii) The employee's final evaluation rating in the local school system from which the employee departed is "satisfactory" or better; and

(iii) There has been no break in the employee's service between the two local school systems of longer than one year.

(d) A certificated employee's probationary period in a new local school system, specified in subparagraph (c) above, may be extended for a second year from the date of employment if:

(i) The employee does not qualify for tenure at the end of the first year based on established performance evaluation criteria; and

(ii) The employee demonstrates a strong potential for improvement.

AND IT IS FURTHER AGREED that if the certificated employee named herein wishes to vacate his or her position after becoming tenured, thirty days' notice in writing shall be given the Local Board of Education prior to the beginning of his or her next school year but not later than July 15, except in case of emergency, of which the Local Board of Education shall exercise judgment on a reasonable basis.

If any of the conditions of this contract shall be violated by the certificated employee named herein; salary already accrued will be forfeited, in the discretion of the Local Board of Education.

This contract shall continue from year to year, subject to the foregoing conditions. The Local Board of Education, pursuant to the provisions of §6-202 of the Education Article of the Annotated Code of Maryland, as amended, may suspend or dismiss the employee at any time, upon the recommendation of the Local Superintendent, for immorality; misconduct in office, including knowingly failing to report suspected child abuse in violation of §5-701 et seq. of the Family Law Article; insubordination; incompetency; or willful neglect of duty, provided that the charge or charges be stated, in writing, to the employee, and that the employee be given an opportunity to be heard by the Local Board of Education upon not less than 10 days' notice with the right to bring counsel and witnesses, if so desired. An appeal may be made to the State Board of Education within 30 days of the decision of the Local Board of Education.

This contract shall automatically terminate if the employee ceases to hold a professional certificate.

This contract is made in accordance with the provisions of the School Law, and is subject to §§2-205[(n)], 4-103, 4-204(a), 6-201, 6-202, and 6-302 of the Education Article of the Annotated Code of

Maryland, and any amendments thereto, and will be filed among the records of the Local Board of Education.

The said certificated employee on his or her part hereby accepts said employment, to take effect on the _____ day of _____, 20____. Date of signing this contract _____, 20____.

WITNESS OUR HANDS:

Secretary, Local Board of Education

Certificated Employee

C. (text unchanged)

NANCY S. GRASMICK
State Superintendent of Schools

Title 31
MARYLAND INSURANCE
ADMINISTRATION

Subtitle 04 INSURERS

31.04.14 Life and Health Insurance Guaranty Corporation Coverage — Notice Requirements

Authority: Insurance Article, §§2-109 and 9-414, Annotated Code of Maryland

Notice of Emergency Action
[10-219-E]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to amendments to Regulation .03 under COMAR 31.04.14 Life and Health Insurance Guaranty Corporation Coverage — Notice Requirements.

Emergency status begins: October 1, 2010.

Emergency status expires: November 1, 2010.

Editor's Note: The text of this document will not be printed here because it appeared as a Notice of Proposed Action in 37:16 Md. R. 1089 — 1090 (July 30, 2010), referenced as [10-219-P].

ELIZABETH SAMMIS
Acting Insurance Commissioner