

Bill No.: _____

Requested: _____

Committee: _____

Drafted by: Departmental

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By: **Leave Blank (By Request – Departmental – Maryland Insurance Administration)**

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Technical Correction and Required Conformity With**
3 **Federal Law**

4 FOR the purpose of requiring a certain carrier to provide an open enrollment period for
5 certain individuals who gain access to certain health plans as a result of a permanent
6 move and who had certain types of coverage as described in certain federal
7 regulations during a certain period of time; and generally relating to health
8 insurance and required conformity with federal law.

9 BY repealing and reenacting, without amendments,
10 Article – Insurance
11 Section 15–1208.2(d)(1)
12 Annotated Code of Maryland
13 (2017 Replacement Volume and 2019 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Insurance
16 Section 15–1208.2(d)(4)(x)
17 Annotated Code of Maryland
18 (2017 Replacement Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Insurance**

4 15–1208.2.

5 (d) (1) A carrier shall provide an open enrollment period for each individual
6 who experiences a triggering event described in paragraph (4) of this subsection.

7 (4) A triggering event occurs when:

8 (x) an eligible employee or dependent gains access to new qualified
9 health plans as a result of a permanent move and either:

10 1. had minimum essential coverage as described in 26 C.F.R.
11 § 1.5000a–1(b) for 1 or more days during the 60 days before the date of the permanent move;

12 2. lived in a foreign country or in a United States territory
13 for 1 or more days during the 60 days before the date of the permanent move; [or]

14 3. lived in a service area where no qualified health plan was
15 available through the Exchange:

16 A. for 1 or more days during the 60 days before the date of
17 the permanent move; or

18 B. during the eligible employee’s or dependent’s most recent
19 preceding open enrollment period or special enrollment period;

20 **4. HAD COVERAGE FOR PRENATAL CARE OR SERVICES**
21 **AS DESCRIBED IN 45 C.F.R. § 155.420(D)(1)(III) FOR 1 OR MORE DAYS DURING THE**
22 **60 DAYS BEFORE THE DATE OF THE PERMANENT MOVE; OR**

23 **5. HAD MEDICALLY NEEDY COVERAGE AS DESCRIBED IN**
24 **45 C.F.R. § 155.420(D)(1)(IV) FOR 1 OR MORE DAYS DURING THE 60 DAYS BEFORE**
25 **THE DATE OF THE PERMANENT MOVE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2020.

DRAFT