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BULLETIN 09-05

Date: March 24, 2009

To: Insurers, Nonprofit Health Service Plans and Health Maintenance Organizations
Participating in the Maryland Small Group Health Insurance/HMO Market

Re: Emergency Legislation to Provide Special Election Period for Maryland
Residents Eligible for Maryland Continuation of Coverage

The purpose of this bulletin is to notify carriers in the small group market of emergency legislation that is being drafted that will impact their business practice in Maryland. The emergency legislation is being proposed to provide the protections of the American Recovery and Reinvestment Act of 2009 (ARRA) to Maryland residents who were:

1. Covered under small employer contracts that are subject to the Maryland "mini-COBRA" continuation of coverage requirements found in §15-409 of the Insurance Article, and
2. Involuntarily terminated from employment between September 1, 2008 and February 17, 2009.

The proposed emergency legislation would require carriers to provide the special election period, similar to the special election period provided under the ARRA for individuals eligible for COBRA.

Entities subject to this proposed legislation should prepare to provide the required notice of the special election period to eligible individuals who are not currently covered under the Maryland mini-COBRA coverage.

More details regarding this emergency legislation will be provided as they become available. Questions regarding this bulletin may be directed to the Life/Health section at 410-468-2170.

Brenda A. Wilson
Associate Commissioner
Life/Health Section