

(4) THE PROVISIONS OF § 704 OF THIS SUBTITLE WHICH:

(I) REQUIRE AN EMPLOYER TO MAKE DEPENDENT COVERAGE AVAILABLE TO ELIGIBLE EMPLOYEES; BUT

(II) DO NOT REQUIRE AN EMPLOYER TO MAKE A CONTRIBUTION TO THE PREMIUM PAYMENTS FOR THAT DEPENDENT COVERAGE.

704.

(a) (1) A carrier shall issue its health benefit plans to any small employer that meets the requirements of this subsection.

(2) (I) NOTHING IN THIS PARAGRAPH MAY BE CONSTRUED TO REQUIRE A SMALL EMPLOYER TO CONTRIBUTE TO THE PREMIUM PAYMENTS FOR COVERAGE OF DEPENDENTS FOR AN ELIGIBLE EMPLOYEE.

[(2)](II) To be covered under a health benefit plan offered by a carrier, a small employer shall:

[(i)] 1. Elect to be covered under the plan;

[(ii)] 2. Agree to make the required premium payments; [and]

3. AGREE TO OFFER COVERAGE, IN ACCORDANCE WITH ANY LATE ENROLLEE OR OTHER PROVISIONS OF THIS SUBTITLE, TO ANY DEPENDENTS OF AN ELIGIBLE EMPLOYEE WHEN COVERAGE IS SOUGHT BY THE ELIGIBLE EMPLOYEE;

4. AGREE TO COLLECT PREMIUM PAYMENTS FROM THE ELIGIBLE EMPLOYEE THROUGH PAYROLL DEDUCTIONS FOR COVERAGE OF THE EMPLOYEE AND THE DEPENDENTS AND TRANSMIT THOSE PREMIUM PAYMENTS TO THE CARRIER; AND

[(iii)] 5. Satisfy the other reasonable provisions of the plan as approved by the Commissioner.

(3) Any requirement used by a carrier in determining whether to provide coverage to a small employer group, including requirements for minimum participation of eligible employees, shall be applied uniformly among all small employers with the same number of eligible employees applying for coverage or receiving coverage from the carrier.

(4) A carrier may only vary application of minimum participation of eligible employees by the size of the small employer group.

(5) A carrier may not require minimum employer contributions.

(b) A carrier that offers coverage to a small employer shall offer coverage to all of its eligible employees.

(c) (1) A health maintenance organization need not offer coverage: