

~~(E) A CARRIER MAY IMPOSE A PREEXISTING CONDITION PROVISION ON AN ELIGIBLE EMPLOYEE WHO IS A NEW ENROLLEE IF:~~

~~(1) THE SMALL EMPLOYER HAS NO MORE THAN NINE ELIGIBLE EMPLOYEES;~~

~~(2) THE PREEXISTING CONDITION OF THE NEW ENROLLEE HAS EXISTED FOR 6 MONTHS OR LESS, AND~~

~~(3) THE PREEXISTING CONDITION PROVISION IS IMPOSED ON THE NEW ENROLLEE FOR A PERIOD NOT TO EXCEED 12 MONTHS.~~

15-1210.

(a) ~~[(1)]~~ A carrier that offers coverage to a small employer shall:

~~[(i)]~~ (1) offer coverage to all of its eligible employees and all of their eligible dependents;

~~[(ii)]~~ (2) at the election of the small employer, offer coverage to all of its part-time employees who have a normal workweek of at least 17 1/2 but less than 30 hours per week and have been continuously employed for at least 4 consecutive months; ~~AND~~

~~[(iii)]~~ (3) at the election of the small employer, offer coverage to all of its employees who are covered under another public or private plan of health insurance or another health benefit arrangement~~;~~ and

(iv) establish an annual open enrollment period for self-employed individuals for at least 30 consecutive days in each 6-month period.

(2) Notwithstanding any other provision of this section and §§ 15-1209, 15-1211, and 15-1213 of this subtitle, a carrier may deny coverage to a self-employed individual who applies for a health benefit plan at a time other than the carrier's annual open enrollment period~~;~~

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before January 1, 2001, the Maryland Health Care Commission, in consultation with the Maryland Insurance Administration, health insurance carriers, small employers, insurance agents and insurance brokers, shall report, in accordance with § 2-1246 of the State Government Article, to the House Economic Matters Committee and the Senate Finance Committee on the effect of group size in the small