

# SENATE BILL 682

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SB 659/20 – FIN

11r2977  
CF 11r2721

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By: **Senator Kramer**

Introduced and read first time: February 3, 2021

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Insurance – Medicare Supplement Policy Plans – Open Enrollment Period**  
3 **Following Birthday**

4 FOR the purpose of requiring a carrier to make available to an individual enrolled in a  
5 Medicare supplement policy plan different Medicare supplement policy plans with  
6 certain benefits during a certain time period following the individual's birthday;  
7 providing that a certain Medicare supplement policy plan shall be deemed to have  
8 benefits that are equal to or less than certain coverage under certain circumstances;  
9 prohibiting a carrier, for a plan required to be made available under a certain  
10 provision of this Act, from denying or conditioning the effectiveness of the plan, or  
11 discriminating in the pricing of the plan, based on certain factors and from denying,  
12 reducing, or conditioning coverage to the individual based on certain factors;  
13 requiring a certain carrier to provide certain notice to an insured within a certain  
14 time period; and generally relating to Medicare supplement policy plans.

15 BY adding to

16 Article – Insurance  
17 Section 15–909(b)(6)  
18 Annotated Code of Maryland  
19 (2017 Replacement Volume and 2020 Supplement)

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

22 **Article – Insurance**

23 15–909.

24 (b) (6) (I) DURING THE 30 DAYS FOLLOWING THE BIRTHDAY OF AN  
25 INDIVIDUAL ENROLLED IN A MEDICARE SUPPLEMENT POLICY PLAN, A CARRIER

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SHALL MAKE AVAILABLE TO THE INDIVIDUAL DIFFERENT MEDICARE SUPPLEMENT  
2 POLICY PLANS WITH BENEFITS THAT ARE EQUAL TO OR LESS THAN THE BENEFITS  
3 OF THE INDIVIDUAL'S EXISTING COVERAGE.

4 (II) A REPLACEMENT MEDICARE SUPPLEMENT POLICY PLAN  
5 MADE AVAILABLE TO AN INDIVIDUAL UNDER SUBPARAGRAPH (I) OF THIS  
6 PARAGRAPH SHALL BE DEEMED TO HAVE BENEFITS THAT ARE EQUAL TO OR LESS  
7 THAN THE INDIVIDUAL'S EXISTING COVERAGE UNLESS:

8 1. THE REPLACEMENT PLAN CONTAINS:

9 A. COVERAGE FOR 100% OF THE MEDICARE PART A  
10 DEDUCTIBLE; OR

11 B. COVERAGE FOR PART B EXCESS CHARGES; AND

12 2. ONE OR BOTH OF THE BENEFITS DESCRIBED UNDER  
13 ITEM 1A AND B OF THIS SUBPARAGRAPH ARE NOT INCLUDED IN THE INDIVIDUAL'S  
14 EXISTING COVERAGE.

15 (III) FOR A MEDICARE SUPPLEMENT POLICY PLAN REQUIRED TO  
16 BE MADE AVAILABLE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, A CARRIER  
17 MAY NOT:

18 1. DENY OR CONDITION THE ISSUANCE OR  
19 EFFECTIVENESS OF A MEDICARE SUPPLEMENT POLICY PLAN, OR DISCRIMINATE IN  
20 THE PRICING OF THE PLAN, BECAUSE OF THE HEALTH STATUS, CLAIMS  
21 EXPERIENCE, OR MEDICAL CONDITION OF THE INDIVIDUAL OR THE RECEIPT OF  
22 HEALTH CARE BY THE INDIVIDUAL; OR

23 2. DENY, REDUCE, OR CONDITION COVERAGE TO THE  
24 INDIVIDUAL FOR A MEDICARE SUPPLEMENT POLICY PLAN BECAUSE OF THE HEALTH  
25 STATUS, CLAIMS EXPERIENCE, OR MEDICAL CONDITION OF THE INDIVIDUAL OR THE  
26 USE OF MEDICAL CARE BY THE INDIVIDUAL.

27 (IV) A CARRIER THAT OFFERS MEDICARE SUPPLEMENT POLICY  
28 PLANS SHALL NOTIFY AN INSURED OF THE INSURED'S RIGHTS UNDER THIS  
29 PARAGRAPH AT LEAST 30 DAYS, BUT NOT MORE THAN 60 DAYS, BEFORE THE  
30 INSURED'S BIRTHDAY.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 October 1, 2021.