

# HOUSE BILL 71

C3, O2

01r0037

(PRE-FILED)

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By: **Chair, Health and Government Operations Committee (By Request – Departmental – Health Insurance Plan)**

Requested: October 5, 2009

Introduced and read first time: January 13, 2010

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Senior Prescription Drug Assistance Program – Appointment of Insurance**  
3 **Producers**

4 FOR the purpose of prohibiting an insurance producer from marketing the Senior  
5 Prescription Drug Assistance Program or assisting a Medicare beneficiary to  
6 enroll in the Program unless the insurance producer has an appointment from  
7 the Program; authorizing the Program to require an insurance producer to  
8 receive certain training before granting an appointment to the insurance  
9 producer; authorizing the Program to terminate the appointment of an  
10 insurance producer under certain circumstances; requiring the Program to  
11 maintain a producer register in accordance with certain provisions of law;  
12 requiring an insurance producer who has been appointed by the Program to  
13 maintain documentation of the appointment in accordance with certain  
14 provisions of law; and generally relating to the Senior Prescription Drug  
15 Assistance Program.

16 BY adding to

17 Article – Insurance

18 Section 14–515(f)

19 Annotated Code of Maryland

20 (2006 Replacement Volume and 2009 Supplement)

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

23 **Article – Insurance**

24 14–515.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(F) (1) AN INSURANCE PRODUCER MAY NOT MARKET THE PROGRAM**  
2 **OR ASSIST A MEDICARE BENEFICIARY TO ENROLL IN THE PROGRAM UNLESS**  
3 **THE INSURANCE PRODUCER HAS AN APPOINTMENT FROM THE PROGRAM.**

4           **(2) THE PROGRAM MAY:**

5                   **(I) REQUIRE AN INSURANCE PRODUCER TO RECEIVE**  
6 **TRAINING ABOUT THE PROGRAM BEFORE GRANTING AN APPOINTMENT TO THE**  
7 **INSURANCE PRODUCER; AND**

8                   **(II) TERMINATE THE APPOINTMENT OF AN INSURANCE**  
9 **PRODUCER IF THE PROGRAM DETERMINES THAT THE INSURANCE PRODUCER**  
10 **HAS VIOLATED:**

11                           **1. A PROVISION OF THIS ARTICLE; OR**

12                           **2. REGULATIONS ADOPTED BY THE CENTERS FOR**  
13 **MEDICARE AND MEDICAID SERVICES REGARDING THE MARKETING OF**  
14 **MEDICARE PART D PRESCRIPTION DRUG PLANS OR MEDICARE ADVANTAGE**  
15 **PLANS.**

16                   **(3) THE PROGRAM SHALL MAINTAIN A PRODUCER REGISTER IN**  
17 **ACCORDANCE WITH § 10–118 OF THIS ARTICLE.**

18                   **(4) AN INSURANCE PRODUCER WHO HAS BEEN APPOINTED BY**  
19 **THE PROGRAM SHALL MAINTAIN DOCUMENTATION OF THE APPOINTMENT IN**  
20 **ACCORDANCE WITH § 10–118 OF THIS ARTICLE.**

21           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2010.