

# HOUSE BILL 381

P4

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By: **Delegates Krimm and Cox**

Introduced and read first time: January 22, 2020

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Employee and Retiree Health Benefits – Retirees – Enrollment in a**  
3 **Medicare Advantage Plan**

4 FOR the purpose of requiring regulations adopted by the Secretary of Budget and  
5 Management to authorize certain retirees to enroll, or discontinue participation, in  
6 a Medicare Advantage Plan; and generally relating to benefits for retirees and the  
7 State Employee and Retiree Health and Welfare Benefits Program.

8 BY repealing and reenacting, without amendments,

9 Article – State Personnel and Pensions

10 Section 2–503(a)

11 Annotated Code of Maryland

12 (2015 Replacement Volume and 2019 Supplement)

13 BY adding to

14 Article – State Personnel and Pensions

15 Section 2–503(e)

16 Annotated Code of Maryland

17 (2015 Replacement Volume and 2019 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – State Personnel and Pensions**

21 2–503.

22 (a) The Secretary shall:

23 (1) adopt regulations for the administration of the Program;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1           (2)    ensure that the Program complies with:
- 2                   (i)    all federal and State laws governing employee benefit plans; and
- 3                   (ii)   §§ 15–826, 15–826.1, 15–826.2, and, as applicable to
- 4 contraceptive drugs and devices, 15–831(a) through (d) of the Insurance Article;
- 5           (3)    each year, recommend to the Governor the State share of the costs of
- 6 the Program; and
- 7           (4)    make ongoing eligibility determinations to ensure that participation in
- 8 the Program does not impede, undermine, or conflict with federal compliance obligations or
- 9 government and cafeteria plan status.

10           **(E)    THE REGULATIONS ADOPTED BY THE SECRETARY UNDER THIS SECTION**

11 **SHALL AUTHORIZE RETIREES WHO ARE ENROLLED IN THE PROGRAM AND WHO ARE**

12 **ELIGIBLE FOR THE MEDICARE SUPPLEMENTAL PROGRAM TO ENROLL, OR**

13 **DISCONTINUE PARTICIPATION, IN A MEDICARE ADVANTAGE PLAN.**

14           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July

15 1, 2020.