

that day. A preexisting condition exclusion includes any exclusion applicable to an individual as a result of information that is obtained relating to an individual's health status before the individual's first day of coverage, such as a condition identified as a result of a pre-enrollment questionnaire or physical examination given to the individual, or review of medical records relating to the pre-enrollment period.

*Public health plan* has the meaning given the term in 45 CFR 146.113(a)(1)(ix).

*Short-term, limited-duration insurance* means health insurance coverage provided pursuant to a contract with an issuer that has an expiration date specified in the contract (taking into account any extensions that may be elected by the policyholder without the issuer's consent) that is less than 12 months after the original effective date of the contract.

*Significant break in coverage* has the meaning given the term in 45 CFR 146.113(b)(2)(iii).

*Small employer* means, in connection with a group health plan with respect to a calendar year and a plan year, an employer who employed an average of at least 2 but not more than 50 employees on business days during the preceding calendar year and who employs at least 2 employees on the first day of the plan year, unless otherwise provided under State law.

*Small group market* means the health insurance market under which individuals obtain health insurance coverage (directly or through any arrangement) on behalf of themselves (and their dependents) through a group health plan maintained by a small employer.

*Special enrollment* means enrollment in a group health plan or group health insurance coverage under the rights described in 45 CFR 146.117.

*State* means each of the several States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.

*State health benefits risk pool* has the meaning given the term in 45 CFR §146.113(a)(1)(vii).

*Waiting period* has the meaning given the term in 45 CFR 146.111(a)(3)(iii).

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**Subpart B [Reserved]**

**PART 145 [RESERVED]**

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