

**By: Delegate Conroy**

Requested: August 30, 1996

Introduced and read first time: January 8, 1997

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 1997

CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Health Insurers and Life Insurers - Disclosure of Results of Medical Examination**  
3 **Information**

4 FOR the purpose of requiring certain medical files on applicants compiled by health  
5 insurers and life insurers to be made available for inspection to a physician of the  
6 applicant's choice under certain circumstances; authorizing a certain insurer to  
7 disclose certain medical information to a physician of an insured's choice under  
8 certain circumstances; requiring a life insurer that denies a policy of life insurance  
9 to an applicant to disclose to a certain physician the results of a certain medical  
10 examination on request of the applicant; and generally relating to requirements for  
11 health insurers and life insurers to disclose medical information.

12 BY repealing and reenacting, with amendments,

13 Article - Insurance

14 Section 4-402(a) and 4-403(b)(1)

15 Annotated Code of Maryland

16 (1995 Volume and 1996 Supplement)

17 (As enacted by Chapter 36 of the Acts of the General Assembly of 1995 and by

18 Chapter \_\_\_\_\_ (H.B. 387) of the Acts of the General Assembly of 1997).

19 BY adding to

20 Article - Insurance

21 Section 4-401 to be under the new subtitle "Subtitle 4. Disclosure Requirements for

22 Insurers" 4-404

23 Annotated Code of Maryland

24 (1995 Volume and 1996 Supplement)

2

1 (As enacted by Chapter 36 of the Acts of the General Assembly of 1995 and by  
2 Chapter (H.B. 387) of the Acts of the General Assembly of 1997)

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

5 **Article - Insurance**

6 ~~SUBTITLE 4. DISCLOSURE REQUIREMENTS FOR INSURERS.~~

7 ~~4-402.~~

8 (a) Medical files on applicants and claimants that are compiled by insurers under  
9 policies of health insurance or life insurance shall be made available for inspection:

10 (1) on request of the applicant or claimant; [or]

11 (2) ON REQUEST OF the agent of the applicant or claimant; OR

12 (3) ON REQUEST OF THE APPLICANT, A PHYSICIAN OF THE APPLICANT'S  
13 CHOICE.

14 ~~4-403.~~

15 (b) (1) An insurer may disclose specific medical information contained in an  
16 insured's medical records to:

17 (I) the insured; [or]

18 (II) the insured's agent or representative; OR

19 (III) ON REQUEST OF THE INSURED, A PHYSICIAN OF THE  
20 INSURED'S CHOICE.

21 ~~4-401, 4-404.~~

22 IF A LIFE INSURER DENIES A POLICY OF LIFE INSURANCE TO AN APPLICANT,  
23 THE LIFE INSURER SHALL DISCLOSE THE RESULTS OF ANY MEDICAL EXAMINATION  
24 ADMINISTERED TO DETERMINE THE APPLICANT'S INSURABILITY TO A PHYSICIAN  
25 OF THE APPLICANT'S CHOICE IF THE APPLICANT SO REQUESTS.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 1997.