

HOUSE BILL 160

Unofficial Copy
C3

2001 Regular Session
(11r1245)

ENROLLED BILL
-- Economic Matters/Finance --

Introduced by **Delegates Hixson, Rosenberg, Morhaim, Finifter, and**
Nathan Pulliam, Nathan Pulliam, Barve, Busch, Donoghue, Fulton,
Goldwater, Gordon, Harrison, Hill, J. Kelly, Kirk, Krysiak, La Vay, Love,
McClenahan, McHale, Minnick, Mitchell, Moe, and Pendergrass

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER 445

1 AN ACT concerning

2 **Health Insurance - Hearing Aids and Related Treatment - Coverage for**
3 **Children**

4 FOR the purpose of requiring certain insurers, nonprofit health service plans, and
5 health maintenance organizations to provide coverage for hearing aids for minor
6 children under certain circumstances; ~~requiring certain insurers, nonprofit~~
7 ~~health service plans, and health maintenance organizations to provide coverage~~
8 ~~for certain treatment relating to the child's hearing impairment and hearing~~
9 ~~aids; requiring reimbursement to certain professionals at a certain rate;~~
10 ~~requiring certain notice to insureds and enrollees at a certain time; authorizing~~
11 a certain limitation on the benefit payable under this Act; authorizing an
12 insured or enrolled individual to choose a hearing aid that is priced higher than
13 a certain benefit amount and to pay the difference between the price of the
14 hearing aid and the benefit amount, without financial or contractual penalty to

1 ~~the provider of the hearing aid;~~ defining a certain term; providing for the
 2 application of this Act; and generally relating to requiring health insurance
 3 coverage for hearing aids ~~and related treatment~~ for children.

4 BY adding to
 5 Article - Insurance
 6 Section 15-837
 7 Annotated Code of Maryland
 8 (1997 Volume and 2000 Supplement)

9 BY adding to
 10 Article - Health - General
 11 Section 19-706(rr)
 12 Annotated Code of Maryland
 13 (2000 Replacement Volume)

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

16 **Article - Insurance**

17 15-837.

18 (A) IN THIS SECTION, "HEARING AID" MEANS A DEVICE THAT:

19 (1) IS OF A DESIGN AND CIRCUITRY TO OPTIMIZE AUDIBILITY AND
 20 LISTENING SKILLS IN THE ENVIRONMENT COMMONLY EXPERIENCED BY CHILDREN;
 21 AND

22 (2) ~~MEETS OR EXCEEDS THE FOLLOWING STANDARDS — MULTIPLE~~
 23 ~~BAND, WIDE DYNAMIC RANGE COMPRESSION, AND DIRECT AUDIO INPUT~~
 24 ~~COMPATIBILITY IS NONDISPOSABLE.~~

25 (B) THIS SECTION APPLIES TO:

26 (1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT PROVIDE
 27 HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS ON AN
 28 EXPENSE-INCURRED BASIS UNDER HEALTH INSURANCE POLICIES OR CONTRACTS
 29 THAT ARE ISSUED OR DELIVERED IN THE STATE; AND

30 (2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE HOSPITAL,
 31 MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS UNDER CONTRACTS
 32 THAT ARE ISSUED OR DELIVERED IN THE STATE.

33 (C) (1) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE
 34 FOR HEARING AIDS FOR A MINOR CHILD WHO IS COVERED THROUGH AN INSURED OR
 35 ENROLLED PARENT OF THE CHILD UNDER A POLICY OR CONTRACT IF THE HEARING

1 ~~AID IS AIDS ARE~~ PRESCRIBED, FITTED, AND DISPENSED BY A LICENSED
2 AUDIOLOGIST.

3 (2) ~~AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE~~
4 ~~FOR REPLACEMENT HEARING AIDS FOR THE CHILD AT LEAST ONCE EVERY 3 YEARS~~
5 ~~(I) AN ENTITY SUBJECT TO THIS SECTION MAY LIMIT THE BENEFIT PAYABLE UNDER~~
6 ~~PARAGRAPH (1) OF THIS SUBSECTION TO \$1,400 PER HEARING AID FOR EACH~~
7 ~~HEARING-IMPAIRED EAR EVERY 36 MONTHS.~~

8 (II) ~~AN INSURED OR ENROLLED INDIVIDUAL MAY CHOOSE A~~
9 ~~HEARING AID THAT IS PRICED HIGHER THAN THE BENEFIT PAYABLE UNDER THIS~~
10 ~~SUBSECTION AND MAY PAY THE DIFFERENCE BETWEEN THE PRICE OF THE HEARING~~
11 ~~AID AND THE BENEFIT PAYABLE UNDER THIS SUBSECTION, WITHOUT FINANCIAL OR~~
12 ~~CONTRACTUAL PENALTY TO THE PROVIDER OF THE HEARING AID.~~

13 (D) (1) ~~IN ADDITION TO PROVIDING COVERAGE FOR HEARING AIDS UNDER~~
14 ~~SUBSECTION (C) OF THIS SECTION, AN ENTITY SUBJECT TO THIS SECTION SHALL~~
15 ~~PROVIDE COVERAGE FOR TREATMENT, BY A LICENSED AUDIOLOGIST, THAT RELATES~~
16 ~~TO THE CHILD'S HEARING IMPAIRMENT AND HEARING AIDS. THIS SECTION DOES~~
17 ~~NOT PROHIBIT AN ENTITY SUBJECT TO THIS SECTION FROM PROVIDING COVERAGE~~
18 ~~THAT IS GREATER OR MORE FAVORABLE TO AN INSURED OR ENROLLED INDIVIDUAL~~
19 ~~THAN THE COVERAGE REQUIRED UNDER THIS SECTION.~~

20 (2) ~~THIS TREATMENT MAY INCLUDE:~~

21 (I) ~~CONSULTATION THAT RELATES TO THE HEARING IMPAIRMENT~~
22 ~~AND HEARING AIDS;~~

23 (II) ~~FITTING OF THE HEARING AIDS;~~

24 (III) ~~PROFESSIONAL VISITS TO MONITOR THE APPROPRIATE~~
25 ~~FUNCTIONING OF THE HEARING AIDS; AND~~

26 (IV) ~~ASSESSMENT OF THE CHILD'S HEARING IMPAIRMENT.~~

27 (E) ~~THE HEARING AID INSTRUMENT, ASSESSMENT, PRESCRIBING, FITTING,~~
28 ~~AND CONSUMABLE SUPPLIES SHALL BE REIMBURSED AT THE USUAL AND~~
29 ~~CUSTOMARY CHARGES OF THE LICENSED PROFESSIONALS.~~

30 (F) ~~THIS SECTION DOES NOT PROHIBIT AN ENTITY SUBJECT TO THIS SECTION~~
31 ~~FROM PROVIDING COVERAGES THAT ARE GREATER THAN OR MORE FAVORABLE TO A~~
32 ~~CHILD OF AN INSURED OR ENROLLEE THAN THE COVERAGE REQUIRED UNDER THIS~~
33 ~~SECTION.~~

34 (G) ~~AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE NOTICE~~
35 ~~ANNUALLY TO ITS INSUREDS AND ENROLLEES ABOUT THE COVERAGE REQUIRED~~
36 ~~UNDER THIS SECTION.~~

1

Article - Health - General

2 19-706.

3 (RR) THE REQUIREMENTS OF § 15-837 OF THE INSURANCE ARTICLE APPLY TO
4 HEALTH MAINTENANCE ORGANIZATIONS.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
6 policies, contracts, and health benefit plans issued, delivered, or renewed in the State
7 on or after October 1, 2001. Any policy, contract, or health benefit plan in effect before
8 October 1, 2001, shall comply with the provisions of this Act no later than October 1,
9 2002.

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2001.