

SENATE BILL 437

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2004 Regular Session  
4r1291  
CF 4r2025

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By: **Senators Kelley, Astle, Exum, Gladden, Hafer, Hooper, and Teitelbaum**

Introduced and read first time: February 5, 2004

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 24, 2004

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CHAPTER 459

1 AN ACT concerning

2 **Health Insurance - Required Reimbursement - Podiatrists**

3 FOR the purpose of providing that, if a certain health insurance policy or contract  
4 provides for reimbursement for a service that is within the lawful scope of  
5 practice of a licensed podiatrist, the insured or any other person covered by or  
6 entitled to reimbursement under the health insurance policy or contract is  
7 entitled to the same amount of reimbursement for the service regardless of  
8 whether the service is performed by a physician or a licensed podiatrist;  
9 ~~requiring the Maryland Insurance Administration to report to the Governor and~~  
10 ~~General Assembly on certain effects of this Act by a certain date;~~ providing for  
11 the application of this Act; and generally relating to reimbursement for services  
12 provided by podiatrists under health insurance policies and contracts.

13 BY repealing and reenacting, with amendments,  
14 Article - Insurance  
15 Section 15-713  
16 Annotated Code of Maryland  
17 (2002 Replacement Volume and 2003 Supplement)

18 BY adding to  
19 Article - Health - General  
20 Section 19-706(zz)  
21 Annotated Code of Maryland  
22 (2000 Replacement Volume and 2003 Supplement)

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

1

**Article - Insurance**

2 15-713.

3 (A) THIS SECTION APPLIES TO INDIVIDUAL, GROUP, OR BLANKET HEALTH  
4 INSURANCE POLICIES AND CONTRACTS DELIVERED OR ISSUED FOR DELIVERY IN  
5 THE STATE BY INSURERS, NONPROFIT HEALTH SERVICE PLANS, AND HEALTH  
6 MAINTENANCE ORGANIZATIONS.

7 (B) Notwithstanding any other provision of an individual, group, or blanket  
8 health insurance policy OR CONTRACT SUBJECT TO THIS SECTION, if the policy OR  
9 CONTRACT provides for reimbursement for a service that is within the lawful scope of  
10 practice of a licensed podiatrist, the insured or any other person covered by OR  
11 ENTITLED TO REIMBURSEMENT UNDER the policy OR CONTRACT is entitled to THE  
12 SAME AMOUNT OF reimbursement for the service regardless of whether the service is  
13 performed by a physician or licensed podiatrist.

14 (C) THIS SECTION DOES NOT PROHIBIT, AND MAY NOT BE CONSTRUED AS  
15 PROHIBITING, THE DETERMINATION OF REIMBURSEMENT BASED ON THE  
16 GEOGRAPHIC LOCATION OF THE DELIVERY OF SERVICE, THE PREEMINENT  
17 QUALIFICATIONS OF A PHYSICIAN OR PODIATRIST, OR THE NEED TO PROVIDE  
18 SERVICES IN AN UNDERSERVED AREA OF THE STATE.

19

**Article - Health - General**

20 19-706.

21 (ZZ) THE PROVISIONS OF § 15-713 OF THE INSURANCE ARTICLE APPLY TO  
22 HEALTH MAINTENANCE ORGANIZATIONS.

23 ~~SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Insurance~~  
24 ~~Administration shall report to the Governor and, in accordance with § 2-1246 of the~~  
25 ~~State Government Article, to the General Assembly on or before October 1, 2006 on~~  
26 ~~the effect of this Act, including fees paid to podiatrists and physicians, health~~  
27 ~~insurance premiums, podiatrist and physician participation in third party payer~~  
28 ~~programs, and any recommendations for legislative or regulatory action.~~

29 ~~SECTION 3.~~2. AND BE IT FURTHER ENACTED, That this Act applies to  
30 all policies and contracts subject to this Act that are delivered, issued for delivery, or  
31 renewed in the State on or after October 1, 2004.

32 ~~SECTION 4.~~3. AND BE IT FURTHER ENACTED, That this Act shall take  
33 effect October 1, 2004.

