
By: **Senators Kelley, Exum, Gladden, and Teitelbaum**

Introduced and read first time: February 4, 2005

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance - Coverage of Outpatient Treatment for Behavioral**
3 **Disorders**

4 FOR the purpose of providing that health insurance coverage is not discriminatory if,
5 with respect to outpatient coverage of services provided to treat mental
6 illnesses, emotional disorders, drug abuse, or alcohol abuse, benefits include
7 intensive mental health case management, home health psychiatric treatment,
8 and crisis treatment; and generally relating to health insurance coverage of
9 outpatient treatment for behavioral disorders.

10 BY repealing and reenacting, without amendments,
11 Article - Insurance
12 Section 15-802(c)
13 Annotated Code of Maryland
14 (2002 Replacement Volume and 2004 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article - Insurance
17 Section 15-802(d)
18 Annotated Code of Maryland
19 (2002 Replacement Volume and 2004 Supplement)

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

22 **Article - Insurance**

23 15-802.

24 (c) A policy or contract subject to this section may not discriminate against an
25 individual with a mental illness, emotional disorder, drug abuse disorder, or alcohol
26 abuse disorder by failing to provide benefits for the diagnosis and treatment of these
27 illnesses under the same terms and conditions that apply under the policy or contract
28 for the diagnosis and treatment of physical illnesses.

1 (d) It is not discriminatory under subsection (c) of this section if at least the
2 following benefits are provided:

3 (1) with respect to inpatient benefits for services provided in a licensed
4 or certified facility, including hospital inpatient benefits, the total number of days for
5 which benefits are payable and the terms and conditions that apply to those benefits
6 are at least equal to those that apply to the benefits available under the policy or
7 contract for physical illnesses;

8 (2) subject to subsection (g) of this section, with respect to benefits for
9 partial hospitalization, at least 60 days of partial hospitalization are covered under
10 the same terms and conditions that apply to the benefits available under the policy or
11 contract for physical illnesses; and

12 (3) with respect to outpatient coverage, other than for inpatient or
13 partial hospitalization services, benefits for covered expenses arising from services,
14 INCLUDING INTENSIVE MENTAL HEALTH CASE MANAGEMENT, HOME HEALTH
15 PSYCHIATRIC TREATMENT, AND CRISIS TREATMENT, provided to treat mental
16 illnesses, emotional disorders, drug abuse, or alcohol abuse are at a rate that, after
17 the applicable deductible, is not less than:

18 (i) 80% for the first five visits in a calendar year or benefit period
19 of not more than 12 months;

20 (ii) 65% for the 6th through 30th visit in a calendar year or benefit
21 period of not more than 12 months; and

22 (iii) 50% for the 31st visit and any subsequent visit in a calendar
23 year or benefit period of not more than 12 months.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2005.