

HOUSE BILL 851

C3

4lr2454

By: **Delegate George**

Introduced and read first time: February 5, 2014

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Biometric Health Care Identification Cards**

3 FOR the purpose of requiring a health insurance carrier to provide to enrollees an
4 upgrade to a certain biometric health care identification card under certain
5 circumstances; authorizing a carrier to establish a certain fee; defining certain
6 terms; and generally relating to health care identification cards.

7 BY adding to

8 Article – Health – General

9 Section 19–706(oooo)

10 Annotated Code of Maryland

11 (2009 Replacement Volume and 2013 Supplement)

12 BY adding to

13 Article – Insurance

14 Section 15–141

15 Annotated Code of Maryland

16 (2011 Replacement Volume and 2013 Supplement)

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

19 **Article – Health – General**

20 19–706.

21 **(OOOO) THE PROVISIONS OF § 15–141 OF THE INSURANCE ARTICLE**
22 **APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.**

23 **Article – Insurance**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 15-141.

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
3 MEANINGS INDICATED.

4 (2) (I) "BIOMETRIC IDENTIFIER" MEANS A DISTINCTIVE AND
5 MEASURABLE PHYSIOLOGICAL CHARACTERISTIC THAT MAY BE USED TO LABEL
6 AND DESCRIBE INDIVIDUALS.

7 (II) "BIOMETRIC IDENTIFIER" INCLUDES:

8 1. FINGERPRINTS;

9 2. AN IMAGE OR ANY OTHER IDENTIFIER THAT
10 WOULD ALLOW THE APPLICATION OF FACE RECOGNITION TECHNOLOGY OR IRIS
11 RECOGNITION TECHNOLOGY;

12 3. DEOXYRIBONUCLEIC ACID (DNA); AND

13 4. A PALM PRINT.

14 (3) "CARRIER" MEANS:

15 (I) AN INSURER;

16 (II) A NONPROFIT HEALTH SERVICE PLAN;

17 (III) A HEALTH MAINTENANCE ORGANIZATION; OR

18 (IV) ANY OTHER PERSON THAT PROVIDES HEALTH BENEFIT
19 PLANS SUBJECT TO REGULATION BY THE STATE.

20 (4) "ENROLLEE" MEANS AN INDIVIDUAL ENTITLED TO HEALTH
21 INSURANCE BENEFITS FROM A CARRIER.

22 (B) IF A CARRIER PROVIDES HEALTH INSURANCE BENEFIT CARDS TO
23 ENROLLEES, THE CARRIER SHALL MAKE AVAILABLE TO ENROLLEES ON
24 REQUEST AN UPGRADE TO A BIOMETRIC HEALTH CARE IDENTIFICATION CARD
25 THAT CAN SECURELY VALIDATE THE IDENTITY OF AN ENROLLEE AND ACCESS
26 THE ENROLLEE'S MEDICAL HISTORY THROUGH THE USE OF A BIOMETRIC
27 IDENTIFIER.

1 **(C) A CARRIER MAY ESTABLISH A FEE FOR UPGRADING A HEALTH**
2 **INSURANCE BENEFIT CARD TO A BIOMETRIC HEALTH CARE IDENTIFICATION**
3 **CARD.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2014.