

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

AN ACT concerning

Health Insurance – Biometric Health Care Identification Cards

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

BY adding to

Article – Health – General

Section 19–706(oooo)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – Insurance

Section 15–141

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

Article – Health – General

19–706.

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

Article – Insurance

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



15-141.

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

(2) (I) “BIOMETRIC IDENTIFIER” MEANS A DISTINCTIVE AND MEASURABLE PHYSIOLOGICAL CHARACTERISTIC THAT MAY BE USED TO LABEL AND DESCRIBE INDIVIDUALS.

(II) “BIOMETRIC IDENTIFIER” INCLUDES:

1. FINGERPRINTS;
2. AN IMAGE OR ANY OTHER IDENTIFIER THAT WOULD ALLOW THE APPLICATION OF FACE RECOGNITION TECHNOLOGY OR IRIS RECOGNITION TECHNOLOGY;
3. DEOXYRIBONUCLEIC ACID (DNA); AND
4. A PALM PRINT.

(3) “CARRIER” MEANS:

- (I) AN INSURER;
- (II) A NONPROFIT HEALTH SERVICE PLAN;
- (III) A HEALTH MAINTENANCE ORGANIZATION; OR
- (IV) ANY OTHER PERSON THAT PROVIDES HEALTH BENEFIT PLANS SUBJECT TO REGULATION BY THE STATE.

(4) “ENROLLEE” MEANS AN INDIVIDUAL ENTITLED TO HEALTH INSURANCE BENEFITS FROM A CARRIER.

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

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

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