

Chapter 23

(Senate Bill 241)

AN ACT concerning

Health Insurance – Coverage for Ostomy Equipment and Supplies – Required

FOR the purpose of requiring insurers, nonprofit health service plans, and health maintenance organizations that provide certain health insurance benefits under certain insurance policies or contracts to provide coverage for certain equipment and supplies used for the treatment of ostomies; ~~requiring the Maryland Insurance Commissioner, in consultation with the Secretary of Health and Mental Hygiene, to adopt by regulation and periodically update a list of certain ostomy equipment and supplies; providing that ostomy equipment and supplies included on a certain list are subject to certain insurance coverage;~~ providing that the required coverage may be subject to certain deductibles and coinsurance; providing for the application of this Act; and generally relating to coverage for ostomy equipment and supplies under health insurance.

BY adding to
Article – Insurance
Section 15–848
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

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

Article – Insurance

15–848.

(A) THIS SECTION APPLIES TO:

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

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

(B) THIS SECTION DOES NOT APPLY TO A POLICY OR CONTRACT ISSUED OR DELIVERED BY AN ENTITY SUBJECT TO THIS SECTION THAT PROVIDES THE

ESSENTIAL HEALTH BENEFITS REQUIRED UNDER § 1302(A) OF THE AFFORDABLE CARE ACT.

(C) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR ALL MEDICALLY APPROPRIATE AND NECESSARY EQUIPMENT AND SUPPLIES USED FOR THE TREATMENT OF OSTOMIES, INCLUDING FLANGES, COLLECTION BAGS, CLAMPS, IRRIGATION DEVICES, SANITIZING PRODUCTS, OSTOMY RINGS, ~~AND OSTOMY BELTS, AND CATHETERS USED FOR DRAINAGE OF UROSTOMIES.~~

~~(D) (1) IN CONSULTATION WITH THE SECRETARY OF HEALTH AND MENTAL HYGIENE, THE COMMISSIONER SHALL ADOPT BY REGULATION AND PERIODICALLY UPDATE A LIST OF ADDITIONAL OSTOMY EQUIPMENT AND SUPPLIES THAT ARE MEDICALLY NECESSARY FOR THE TREATMENT OF OSTOMIES.~~

~~(2) THE ADDITIONAL OSTOMY EQUIPMENT AND SUPPLIES INCLUDED ON THE LIST REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION ARE SUBJECT TO COVERAGE UNDER SUBSECTION (C) OF THIS SECTION.~~

~~(E)~~ (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE COVERAGE REQUIRED UNDER THIS SECTION MAY BE SUBJECT TO THE ANNUAL DEDUCTIBLES OR COINSURANCE REQUIREMENTS IMPOSED BY AN ENTITY SUBJECT TO THIS SECTION FOR SIMILAR COVERAGES UNDER THE SAME HEALTH INSURANCE POLICY OR CONTRACT.

(2) THE ANNUAL DEDUCTIBLES OR COINSURANCE REQUIREMENTS IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR THE COVERAGE REQUIRED UNDER THIS SECTION MAY NOT BE GREATER THAN THE ANNUAL DEDUCTIBLES OR COINSURANCE REQUIREMENTS IMPOSED BY THE ENTITY FOR SIMILAR COVERAGES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all policies, contracts, and health benefit plans subject to this Act that are issued, delivered, or renewed in the State on or after October 1, 2015.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015.

Approved by the Governor, April 14, 2015.