

HOUSE BILL 865

C3

6lr1692
CF 6lr3614

By: **Delegates Hill, Ebersole, Jalisi, and Lam**
Introduced and read first time: February 8, 2016
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Motor Vehicle Modifications for Permanently Wheelchair**
3 **Dependent Individuals – Coverage**

4 FOR the purpose of requiring certain insurers, nonprofit health service plans, and health
5 maintenance organizations to provide certain coverage one time for adaptive
6 equipment for or other modifications to the motor vehicle of a permanently
7 wheelchair dependent individual under certain circumstances; providing that the
8 required coverage may be subject to certain deductibles or coinsurance requirements;
9 providing for the application of this Act; and generally relating to coverage for
10 modifications to the motor vehicles of permanently wheelchair dependent
11 individuals under health insurance.

12 BY adding to
13 Article – Insurance
14 Section 15–850
15 Annotated Code of Maryland
16 (2011 Replacement Volume and 2015 Supplement)

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

19 **Article – Insurance**

20 **15–850.**

21 **(A) THIS SECTION APPLIES TO:**

22 **(1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT**
23 **PROVIDE HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 ON AN EXPENSE-INCURRED BASIS UNDER HEALTH INSURANCE POLICIES OR
2 CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE; AND

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

6 (B) THIS SECTION DOES NOT APPLY TO A POLICY OR CONTRACT ISSUED OR
7 DELIVERED BY AN ENTITY SUBJECT TO THIS SECTION THAT PROVIDES THE
8 ESSENTIAL HEALTH BENEFITS REQUIRED UNDER § 1302(A) OF THE AFFORDABLE
9 CARE ACT.

10 (C) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE ONE
11 TIME FOR ADAPTIVE EQUIPMENT FOR OR OTHER MODIFICATIONS TO THE MOTOR
12 VEHICLE OF AN INDIVIDUAL:

13 (1) WHO IS PERMANENTLY WHEELCHAIR DEPENDENT;

14 (2) WHO IS ELIGIBLE AND ABLE TO DRIVE BASED ON A
15 COMPREHENSIVE EVALUATION BY A DRIVER REHABILITATION SPECIALIST; AND

16 (3) WHOSE MOTOR VEHICLE REQUIRES ADAPTIVE EQUIPMENT OR
17 MODIFICATION TO ALLOW THE INDIVIDUAL TO ENTER, EXIT, OR SAFELY OPERATE
18 THE MOTOR VEHICLE.

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

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

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
30 policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or
31 after October 1, 2016.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2016.