C37 lr 2845**CF SB 968**

By: Delegate Kelly

Introduced and read first time: February 9, 2017 Assigned to: Health and Government Operations

A BILL ENTITLED

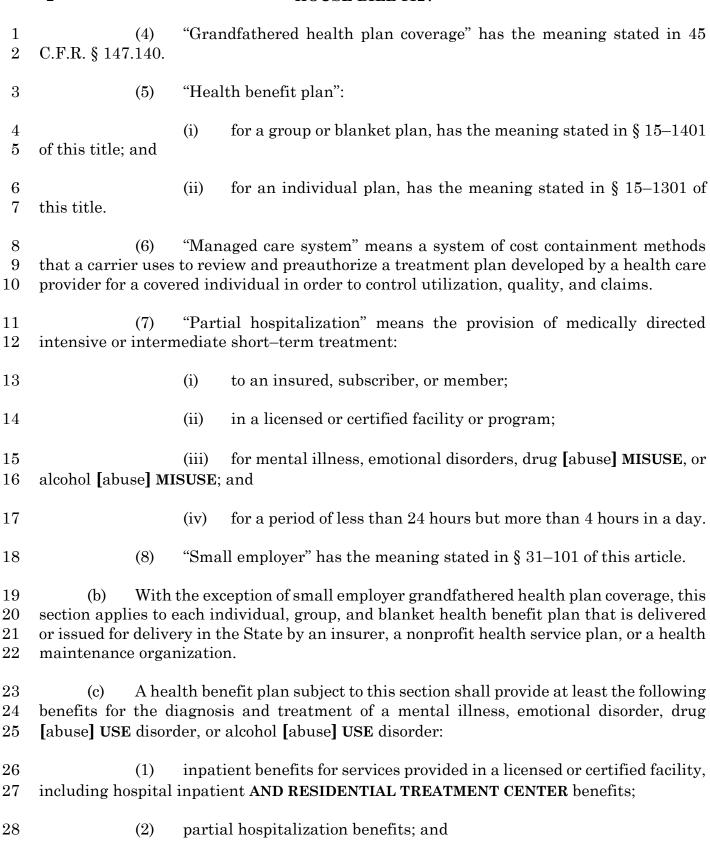
1	AN ACT concerning
2 3	Health Insurance – Coverage Requirements for Behavioral Health Disorders – Modifications
4 5 6 7 8	FOR the purpose of altering certain coverage requirements applicable to certain health benefit plans for the diagnosis and treatment of mental illness and emotional, drug use, and alcohol use disorders; altering certain definitions; and generally relating to health insurance coverage for the diagnosis and treatment of mental illness and emotional, drug use, and alcohol use disorders.
9 10 11 12 13	BY repealing and reenacting, with amendments, Article – Insurance Section 15–802 Annotated Code of Maryland (2011 Replacement Volume and 2016 Supplement)
14 15	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
16	Article – Insurance
17	15–802.
18	(a) (1) In this section the following words have the meanings indicated.
19 20	(2) "Alcohol [abuse] MISUSE" has the meaning stated in § 8–101 of the Health – General Article.
21 22	(3) "Drug [abuse] MISUSE" has the meaning stated in § 8–101 of the Health – General Article.



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(3)



outpatient AND INTENSIVE OUTPATIENT benefits, including all office

visits, DIAGNOSTIC EVALUATION, OPIOID TREATMENT SERVICES, MEDICATION

- EVALUATION AND MANAGEMENT, and psychological and neuropsychological testing for diagnostic purposes.
- 3 (d) (1) The benefits under this section are required only for expenses arising 4 from the treatment of mental illnesses, emotional disorders, drug [abuse] MISUSE, or 5 alcohol [abuse] MISUSE if, in the professional judgment of health care providers:
- 6 (i) the mental illness, emotional disorder, drug [abuse] MISUSE, or 7 alcohol [abuse] MISUSE is treatable; and
- 8 (ii) the treatment is medically necessary.
- 9 (2) The benefits required under this section:
- 10 (i) shall be provided as one set of benefits covering mental illnesses, 11 emotional disorders, drug [abuse] MISUSE, and alcohol [abuse] MISUSE;
- 12 (ii) shall comply with 45 C.F.R. § 146.136(a) through (d) **AND 29** 13 **C.F.R. § 2590.712(A) THROUGH (D)**;
- 14 (iii) subject to paragraph (3) of this subsection, may be delivered 15 under a managed care system; and
- 16 (iv) for partial hospitalization under subsection (c)(2) of this section, 17 may not be less than 60 days.
- 18 (3) The benefits required under this section may be delivered under a managed care system only if the benefits for physical illnesses covered under the health 20 benefit plan are delivered under a managed care system.
- 21 (4) The processes, strategies, evidentiary standards, or other factors used 22 to manage the benefits required under this section must be comparable as written and in 23 operation to, and applied no more stringently than, the processes, strategies, evidentiary 24 standards, or other factors used to manage the benefits for physical illnesses covered under 25 the health benefit plan.
- 26 (5) An insurer, nonprofit health service plan, or health maintenance organization may not charge a copayment for methadone maintenance treatment that is greater than 50% of the daily cost for methadone maintenance treatment.
- 29 (e) An entity that issues or delivers a health benefit plan subject to this section 30 shall provide on its Web site and annually in print to its insureds or members:
- 31 (1) notice about the benefits required under this section and the federal 32 Mental Health Parity and Addiction Equity Act; and

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1 notice that the insured or member may contact the Administration for (2) 2 further information about the benefits. 3 An entity that issues or delivers a health benefit plan subject to this section (f) shall: 4 5 post a release of information authorization form on its Web site; and (1) 6 (2) provide a release of information authorization form by standard mail within 10 business days after a request for the form is received. 7 8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June