

SENATE BILL 682

C3, J1

8lr1461

By: **Senators Hershey and Middleton**

Introduced and read first time: February 2, 2018

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Medical Assistance Program and Health Insurance – Emergency Medical**
3 **Services Providers – Coverage and Reimbursement of Services**

4 FOR the purpose of requiring the Maryland Department of Health to reimburse certain
5 emergency medical services providers for certain services provided to Maryland
6 Medical Assistance Program recipients; requiring insurers, nonprofit health service
7 plans, and health maintenance organizations that provide health insurance benefits
8 under certain insurance policies or contracts to provide coverage for certain services
9 provided by certain emergency medical services providers; defining certain terms;
10 making a conforming change; providing for the application of this Act; and generally
11 relating to the coverage and reimbursement of services provided by emergency
12 medical services providers.

13 BY repealing and reenacting, with amendments,
14 Article – Health – General
15 Section 15–114.1
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2017 Supplement)

18 BY adding to
19 Article – Insurance
20 Section 15–853
21 Annotated Code of Maryland
22 (2017 Replacement Volume)

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

25 **Article – Health – General**

26 15–114.1.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) In this section[, “emergency”] **THE FOLLOWING WORDS HAVE THE**
2 **MEANINGS INDICATED.**

3 (2) **“EMERGENCY MEDICAL SERVICES PROVIDER” HAS THE MEANING**
4 **STATED IN § 13–516 OF THE EDUCATION ARTICLE.**

5 (3) **“EMERGENCY service transporter” means a public entity or volunteer**
6 **fire, rescue, or emergency medical service that provides emergency medical services.**

7 (4) **“MOBILE INTEGRATED HEALTH SERVICE” MEANS A**
8 **COMMUNITY–BASED PREVENTIVE, PRIMARY, CHRONIC, PREADMISSION, OR**
9 **POSTADMISSION HEALTH CARE SERVICE OR TRANSPORT PROVIDED BY AN**
10 **EMERGENCY MEDICAL SERVICES PROVIDER TO AN INDIVIDUAL TO REDUCE THE**
11 **UNNECESSARY USE OF 911 AND TRANSPORTS TO HOSPITAL EMERGENCY**
12 **DEPARTMENTS FOR MINOR MEDICAL CONDITIONS.**

13 (b) [If] **SUBJECT TO SUBSECTION (C) OF THIS SECTION, IF** an emergency
14 service transporter charges for its services and requests reimbursement from the Program,
15 the Department shall reimburse the emergency service transporter, in an amount as
16 specified by regulations adopted by the Department, for the cost of:

17 (1) Transportation the emergency service transporter provides to a
18 Program recipient to a facility in response to a 911 call; and

19 (2) Medical services the emergency service transporter provides to the
20 Program recipient while transporting the Program recipient to a facility in response to a
21 911 call.

22 (c) (1) **THE DEPARTMENT SHALL REIMBURSE AN EMERGENCY MEDICAL**
23 **SERVICES PROVIDER FOR MOBILE INTEGRATED HEALTH SERVICES PROVIDED TO A**
24 **PROGRAM RECIPIENT.**

25 (2) **THE SERVICES SUBJECT TO REIMBURSEMENT UNDER**
26 **PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:**

27 (i) **HEALTH CARE SERVICES, INCLUDING HEALTH**
28 **ASSESSMENTS, CHRONIC DISEASE MONITORING AND EDUCATION, MEDICATION**
29 **COMPLIANCE, IMMUNIZATIONS AND VACCINATIONS, LABORATORY SPECIMEN**
30 **COLLECTION, HOSPITAL DISCHARGE FOLLOW–UP CARE, AND MINOR MEDICAL**
31 **PROCEDURES, PROVIDED BY AN EMERGENCY MEDICAL SERVICES PROVIDER THAT**
32 **ARE:**

1 1. **WITHIN THE SCOPE OF PRACTICE OF THE PROVIDER;**
2 **AND**

3 2. **PROVIDED IN A HOME OR ANY OTHER**
4 **COMMUNITY-BASED SETTING TO A PROGRAM RECIPIENT WHO DOES NOT REQUIRE**
5 **EMERGENCY MEDICAL TRANSPORT; AND**

6 **(II) TRANSPORTATION PROVIDED BY THE EMERGENCY**
7 **MEDICAL SERVICES PROVIDER TO A PROGRAM RECIPIENT WITH A LOW-ACUITY**
8 **HEALTH CONDITION TO AND FROM A LOCATION IN WHICH URGENT HEALTH CARE**
9 **SERVICES ARE PROVIDED TO INDIVIDUALS.**

10 **[(c)] (D)** The Department shall adopt any regulations necessary to carry out this
11 section.

12 **Article – Insurance**

13 **15-853.**

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

16 **(2) “EMERGENCY MEDICAL SERVICES PROVIDER” HAS THE MEANING**
17 **STATED IN § 13-516 OF THE EDUCATION ARTICLE.**

18 **(3) “MOBILE INTEGRATED HEALTH SERVICE” HAS THE MEANING**
19 **STATED IN § 15-114.1 OF THE HEALTH – GENERAL ARTICLE.**

20 **(B) THIS SECTION APPLIES TO:**

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

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

28 **(C) (1) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE**
29 **COVERAGE FOR MOBILE INTEGRATED HEALTH SERVICES PROVIDED BY AN**
30 **EMERGENCY MEDICAL SERVICES PROVIDER TO AN INSURED OR ENROLLEE.**

1 **(2) THE SERVICES FOR WHICH COVERAGE IS REQUIRED UNDER**
2 **PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:**

3 **(I) HEALTH CARE SERVICES, INCLUDING HEALTH**
4 **ASSESSMENTS, CHRONIC DISEASE MONITORING AND EDUCATION, MEDICATION**
5 **COMPLIANCE, IMMUNIZATIONS AND VACCINATIONS, LABORATORY SPECIMEN**
6 **COLLECTION, HOSPITAL DISCHARGE FOLLOW-UP CARE, AND MINOR MEDICAL**
7 **PROCEDURES, PROVIDED BY AN EMERGENCY MEDICAL SERVICES PROVIDER THAT**
8 **ARE:**

9 **1. WITHIN THE SCOPE OF PRACTICE OF THE PROVIDER;**
10 **AND**

11 **2. PROVIDED IN A HOME OR ANY OTHER**
12 **COMMUNITY-BASED SETTING TO AN INSURED OR ENROLLEE WHO DOES NOT**
13 **REQUIRE EMERGENCY MEDICAL TRANSPORT; AND**

14 **(II) TRANSPORTATION PROVIDED BY THE EMERGENCY**
15 **MEDICAL SERVICES PROVIDER TO AN INSURED OR ENROLLEE WITH A LOW-ACUITY**
16 **HEALTH CONDITION TO AND FROM A LOCATION IN WHICH URGENT HEALTH CARE**
17 **SERVICES ARE PROVIDED TO INDIVIDUALS.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
19 policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or
20 after January 1, 2019.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2018.