

BY: Finance Committee

AMENDMENTS TO HOUSE BILL NO. 1271

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Mothers” insert “Postpartum”; in the same line, strike “Newborns” and substitute “Infants”; and in lines 2 and 3, strike “Minimum Length of Stay and Utilization Review” and substitute “Hospital Stays and Home Visits”.

On pages 1 and 2, strike beginning with “certain” in line 4 on page 1 through “circumstances” in line 4 on page 2 and substitute “health insurers and health maintenance organizations to provide inpatient hospitalization coverage for a mother and newborn for a certain minimum length of time under certain circumstances; providing certain exceptions; requiring certain home visits under certain circumstances; prohibiting certain actions by health insurers, health maintenance organizations, and private review agents; requiring certain private review agents and health maintenance organizations to authorize inpatient hospitalization coverage for a mother and newborn for a certain minimum length of time under certain circumstances; requiring health insurers and health maintenance organizations to pay the additional cost of hospitalization for a newborn, under certain circumstances, when a mother is required to remain in the hospital and requests that the newborn remain in the hospital; requiring certain persons to provide certain notice to certain individuals; defining a certain term; and generally relating to the provision of inpatient hospitalization coverage for a mother and newborn”.

AMENDMENT NO. 2

On page 3, in line 1, strike “SERVICE PLAN” and substitute “INSURER”; strike beginning with “OF” in line 1 down through “DAYS” in line 2 and substitute “, FOR UP TO 4 DAYS OF HOSPITALIZATION, FOR THE ADDITIONAL HOSPITALIZATION OF THE NEWBORN UNTIL THE MOTHER IS RELEASED FROM THE HOSPITAL”; strike beginning with “OF” in line 18 down through “DAYS” in line 19 and substitute “, FOR UP TO 4 DAYS OF HOSPITALIZATION, FOR THE ADDITIONAL HOSPITALIZATION OF THE NEWBORN”.

(Over)

UNTIL THE MOTHER IS RELEASED FROM THE HOSPITAL"; and strike beginning with "OF" in line 35 down through "DAYS" in line 36 and substitute ", FOR UP TO 4 DAYS OF HOSPITALIZATION, FOR THE ADDITIONAL HOSPITALIZATION OF THE NEWBORN UNTIL THE MOTHER IS RELEASED FROM THE HOSPITAL".

On page 4 in line 3, and on page 6 in line 6, in each instance, strike "OR".

On page 4 in line 3, and on page 6 in line 6, in each instance, after "PHYSICIAN" insert a comma.

On page 4 in line 4, and on page 6 in line 7, in each instance, strike "OR PEDIATRIC NURSE PRACTITIONER".

On page 4, strike beginning with "INPATIENT" in line 7 down through "CHILD" in line 11 and substitute "HOSPITAL, MEDICAL, OR SURGICAL BENEFITS FOR ISSUANCE OR DELIVERY IN THE STATE TO ANY GROUP OR INDIVIDUAL ON AN EXPENSE-INCURRED BASIS, INCLUDING A HEALTH MAINTENANCE ORGANIZATION, SHALL PROVIDE COVERAGE"; in line 27, strike "REQUEST" and substitute "AGREE TO"; after line 29, insert:

"(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, AN INSURER, NONPROFIT HEALTH SERVICE PLAN, OR HEALTH MAINTENANCE ORGANIZATION SHALL PROVIDE COVERAGE FOR A MOTHER AND NEWBORN CHILD FOR A MINIMUM OF ONE HOME VISIT:

(I) IN ACCORDANCE WITH GENERALLY ACCEPTED STANDARDS OF NURSING PRACTICE FOR HOME CARE OF A MOTHER AND NEWBORN CHILD; AND

(II) BY A REGISTERED NURSE WITH AT LEAST 1 YEAR OF EXPERIENCE IN MATERNAL AND CHILD HEALTH NURSING OR IN COMMUNITY HEALTH NURSING WITH AN EMPHASIS ON MATERNAL AND CHILD HEALTH."

in line 30, strike "(2)" and substitute "(3)"; in the same line, after "CHILD", insert a comma; in line 33, strike "AT LEAST ONE" and substitute "A MINIMUM OF TWO"; and in line 34, strike

“VISIT” and substitute “VISITS”.

On pages 4 and 5, strike in their entirety the lines beginning with line 40 on page 4 through line 26 on page 5, inclusive, and substitute:

“(4) THE SERVICES FOR WHICH COVERAGE IS PROVIDED UNDER PARAGRAPH (2) OR PARAGRAPH (3) OF THIS SUBSECTION SHALL INCLUDE:

(I) MATERNAL AND NEONATAL PHYSICAL ASSESSMENTS;

(II) PARENT EDUCATION;

(III) ASSISTANCE AND TRAINING IN BREAST AND BOTTLE FEEDING;

(IV) THE COLLECTION, WHEN INDICATED, OF AN ADEQUATE SAMPLE FOR HEREDITARY AND METABOLIC SCREENING OF THE NEWBORN CHILD;
AND

(V) THE PERFORMANCE OF ANY OTHER NECESSARY AND APPROPRIATE TESTS AND SERVICES.

(5) THE COVERAGE REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE PROVIDED FOR A HOME VISIT, TO BE ARRANGED BY THE MOTHER AND AN ATTENDING PROVIDER, WITHIN THE FIRST 7 DAYS AFTER DISCHARGE.

(6) THE COVERAGE REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION SHALL BE PROVIDED FOR:

(I) A HOME VISIT WITHIN THE FIRST 24 HOURS AFTER DISCHARGE;
AND

(Over)

(II) A HOME VISIT, TO BE ARRANGED BY THE MOTHER AND AN ATTENDING PROVIDER, WITHIN THE FIRST 7 DAYS AFTER DISCHARGE.

(D) THE INSURER, NONPROFIT HEALTH SERVICE PLAN, OR HEALTH MAINTENANCE ORGANIZATION MAY NOT:

(1) IMPOSE A COPAYMENT REQUIREMENT, A COINSURANCE REQUIREMENT, OR A DEDUCTIBLE FOR THE COVERAGE REQUIRED UNDER SUBSECTION (C)(2) OR (3) OF THIS SECTION; OR

(2) DESELECT, TERMINATE THE SERVICES OF, REQUIRE ADDITIONAL DOCUMENTATION FROM, REQUIRE ADDITIONAL UTILIZATION OF, REDUCE PAYMENTS TO, OR OTHERWISE PROVIDE FINANCIAL DISINCENTIVES FOR AN ATTENDING PROVIDER WHO ORDERS CARE CONSISTENT WITH THE TERMS OF THIS SECTION.

(E) (1) THE INSURER, NONPROFIT HEALTH SERVICE PLAN, OR HEALTH MAINTENANCE ORGANIZATION SHALL PROVIDE NOTICE TO INSURED AND ENROLLEES REGARDING THE COVERAGE PROVIDED BY THIS SECTION.

(2) THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SENT ON AN ANNUAL BASIS.”.

On page 5, strike beginning with “OF” in line 34 down through “DAYS” in line 35 and substitute “, FOR UP TO 4 DAYS OF HOSPITALIZATION, FOR THE ADDITIONAL HOSPITALIZATION OF THE NEWBORN UNTIL THE MOTHER IS RELEASED FROM THE HOSPITAL”.

On page 6, in line 16, strike “SUBJECT TO THE PROVISIONS OF” and substitute “EXCEPT AS PROVIDED UNDER”.

On page 7, after line 12, insert:

“(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A PRIVATE REVIEW AGENT OR HEALTH MAINTENANCE ORGANIZATION PERFORMING UTILIZATION REVIEW SHALL AUTHORIZE, FOR A MOTHER AND NEWBORN CHILD, A MINIMUM OF ONE HOME VISIT:

(I) IN ACCORDANCE WITH GENERALLY ACCEPTED STANDARDS OF NURSING PRACTICE FOR HOME CARE OF A MOTHER AND NEWBORN CHILD; AND

(II) BY A REGISTERED NURSE WITH AT LEAST 1 YEAR OF EXPERIENCE IN MATERNAL AND CHILD HEALTH NURSING OR IN COMMUNITY HEALTH NURSING WITH AN EMPHASIS ON MATERNAL AND CHILD HEALTH.”;

in line 13, strike “(2)” and substitute “(3)”; in line 16, strike “AT LEAST ONE” and substitute “A MINIMUM OF TWO”; in the same line, strike “VISIT” and substitute “VISITS”; strike in their entirety lines 22 through 27, inclusive, and substitute:

“(4) SERVICES AUTHORIZED UNDER PARAGRAPH (2) OR PARAGRAPH (3) OF THIS SUBSECTION SHALL INCLUDE:

(I) MATERNAL AND NEONATAL PHYSICAL ASSESSMENTS;

(II) PARENT EDUCATION;

(III) ASSISTANCE AND TRAINING IN BREAST AND BOTTLE FEEDING;

(IV) THE COLLECTION, WHEN INDICATED, OF AN ADEQUATE SAMPLE FOR HEREDITARY AND METABOLIC SCREENING OF THE NEWBORN CHILD; AND

(V) THE PERFORMANCE OF ANY OTHER NECESSARY AND APPROPRIATE TESTS AND SERVICES.

(Over)

(5) THE AUTHORIZATION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL INCLUDE AUTHORIZATION FOR A HOME VISIT, TO BE ARRANGED BY THE MOTHER AND AN ATTENDING PROVIDER, WITHIN THE FIRST 7 DAYS AFTER DISCHARGE.

(6) THE AUTHORIZATION REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION SHALL INCLUDE AUTHORIZATION FOR:

(I) A HOME VISIT WITHIN THE FIRST 24 HOURS AFTER DISCHARGE;

AND

(II) A HOME VISIT, TO BE ARRANGED BY THE MOTHER AND AN ATTENDING PROVIDER, WITHIN THE FIRST 7 DAYS AFTER DISCHARGE.”;

in line 28, strike “(1)” and strike beginning with “OR” in line 32 down through “SECTION” in line 41.

On page 8, before line 1, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, in addition to the requirements of Article 48A, § 490FF(e)(2) of the Code as enacted by this Act, an insurer, nonprofit health service plan, or health maintenance organization subject to the provisions of Article 48A, § 490FF(e) shall send to insureds or enrollees the notice required under Article 48A, § 490FF(e)(1) of the Code as enacted by this Act by January 1, 1997.”;

in line 1, strike “2.” and substitute “3.”; and in line 2, strike “October” and substitute “July”.