

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 433

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 8 down through “individuals;” in line 9; in line 12, after “circumstances;” insert “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;”; after line 13, insert:

“BY repealing and reenacting, with amendments,

Article 48A - Insurance Code

Section 354F, 470H, and 477-I

Annotated Code of Maryland

(1994 Replacement Volume and 1995 Supplement)”;

and after line 18, insert:

“BY adding to

Article - Health - General

Section 19-703(g)

Annotated Code of Maryland

(1990 Replacement Volume and 1995 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 18, insert:

“(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, AN INSURER, NONPROFIT HEALTH SERVICE PLAN, OR HEALTH MAINTENANCE

(Over)

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 19, strike “(2)” and substitute “(3)”; in line 22, strike “3” and substitute “2”; in line 29, strike “(3)” and substitute “(4)”; in the same line, after “SERVICES” insert “FOR WHICH COVERAGE IS”; and in the same line, after “PARAGRAPH (2)” insert “OR PARAGRAPH (3)”.

On page 3, strike in their entirety lines 1 through 8, inclusive, and substitute:

“(5) 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) COVERAGE REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION SHALL BE PROVIDED 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 29, strike the first “OR”; and in the same line, after “PHYSICIAN” insert “, OR CERTIFIED NURSE MIDWIFE”.

On page 4, after line 18, insert:

“(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE 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 19, strike “(2)” and substitute “(3)”; in line 22, strike “3” and substitute “2”; in line 29, strike “(3)” and substitute “(4)”; in the same line, strike “PROVIDED” and substitute “AUTHORIZED”; and in the same line, after “PARAGRAPH (2)” insert “OR PARAGRAPH (3)”.

On page 5, strike in their entirety lines 1 through 8, inclusive, and substitute:

“(5) 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) 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.”.

AMENDMENT NO. 3

On page 3, in line 11, after “REQUIREMENT” insert “, A COINSURANCE REQUIREMENT,”.

AMENDMENT NO. 4

On page 2, after line 1, insert:

“354F.

(A) Every nonprofit health insurer who issues or delivers a health insurance policy to any person in this State under which any hospitalization benefits are provided for normal pregnancy shall provide those benefits for the cost of hospitalization for childbirth to the same extent as the hospitalization benefit provided in the policy for any covered illness. [This provision may not be construed, however, to require any insurer to provide benefits for pregnancy or childbirth in any policy.]

(B) (1) IN ADDITION TO THE PROVISIONS OF § 490FF OF THIS ARTICLE AND SUBSECTION (A) OF THIS SECTION, WHENEVER A MOTHER IS REQUIRED TO REMAIN HOSPITALIZED AFTER CHILDBIRTH FOR MEDICAL REASONS AND THE MOTHER REQUESTS THAT THE NEWBORN REMAIN IN THE HOSPITAL, A NONPROFIT HEALTH INSURER SHALL PAY THE COST, FOR UP TO 4 DAYS OF HOSPITALIZATION, FOR THE ADDITIONAL HOSPITALIZATION OF THE NEWBORN UNTIL THE MOTHER IS RELEASED FROM THE HOSPITAL.

(2) THE ATTENDING PHYSICIAN OR CERTIFIED NURSE MIDWIFE OF THE MOTHER, OR THE DESIGNEE OF THE ATTENDING PHYSICIAN OR CERTIFIED NURSE MIDWIFE, SHALL PROVIDE NOTICE TO THE MOTHER OF THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION.

470H.

(A) Every insurer who issues or delivers an individual health insurance policy to any person in this State under which any hospitalization benefits are provided for normal pregnancy shall provide those benefits for the cost of hospitalization for childbirth to the same extent as the hospitalization benefit provided in the policy for any covered illness. [This provision may not be construed, however, to require any insurer to provide benefits for pregnancy or childbirth in any policy.]

(B) (1) IN ADDITION TO THE PROVISIONS OF § 490FF OF THIS ARTICLE AND SUBSECTION (A) OF THIS SECTION, WHENEVER A MOTHER IS REQUIRED TO REMAIN HOSPITALIZED AFTER CHILDBIRTH FOR MEDICAL REASONS AND THE MOTHER REQUESTS THAT THE NEWBORN REMAIN IN THE HOSPITAL, AN INSURER SHALL PAY THE COST, FOR UP TO 4 DAYS OF HOSPITALIZATION, FOR THE ADDITIONAL HOSPITALIZATION OF THE NEWBORN UNTIL THE MOTHER IS RELEASED FROM THE HOSPITAL.

(2) THE ATTENDING PHYSICIAN OR CERTIFIED NURSE MIDWIFE OF THE MOTHER, OR THE DESIGNEE OF THE ATTENDING PHYSICIAN OR CERTIFIED NURSE MIDWIFE, SHALL PROVIDE NOTICE TO THE MOTHER OF THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION.

477-I.

(A) Every insurer who issues or delivers a group or blanket health insurance policy under which any hospitalization benefits are provided for normal pregnancy shall provide those benefits for the cost of hospitalization for childbirth to the same extent as the hospitalization benefit provided in the policy for any covered illness. [This provision may not be construed, however, to require any insurer to provide benefits for pregnancy or childbirth in any policy.]

(B) (1) IN ADDITION TO THE PROVISIONS OF § 490FF OF THIS ARTICLE AND SUBSECTION (A) OF THIS SECTION, WHENEVER A MOTHER IS REQUIRED TO REMAIN HOSPITALIZED AFTER CHILDBIRTH FOR MEDICAL REASONS AND THE MOTHER REQUESTS THAT THE NEWBORN REMAIN IN THE HOSPITAL, AN INSURER SHALL PAY THE COST, FOR UP TO 4 DAYS OF HOSPITALIZATION, FOR THE ADDITIONAL HOSPITALIZATION OF THE NEWBORN UNTIL THE MOTHER IS RELEASED FROM THE HOSPITAL.

(2) THE ATTENDING PHYSICIAN OR CERTIFIED NURSE MIDWIFE OF THE MOTHER, OR THE DESIGNEE OF THE ATTENDING PHYSICIAN OR CERTIFIED NURSE

(Over)

MIDWIFE, SHALL PROVIDE NOTICE TO THE MOTHER OF THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION.

On page 3, after line 23, insert:

“19-703.

(G) (1) IN ADDITION TO THE REQUIREMENTS OF §§ 19-706(I) AND 19-1305.4 OF THIS TITLE, WHENEVER A MOTHER IS REQUIRED TO REMAIN HOSPITALIZED AFTER CHILDBIRTH FOR MEDICAL REASONS AND THE MOTHER REQUESTS THAT THE NEWBORN REMAIN IN THE HOSPITAL, A HEALTH MAINTENANCE ORGANIZATION SHALL PROVIDE AS PART OF ITS HOSPITALIZATION SERVICES PROVIDED TO MEMBERS AND SUBSCRIBERS PAYMENT FOR THE COST, FOR UP TO 4 DAYS OF HOSPITALIZATION, FOR THE ADDITIONAL HOSPITALIZATION OF THE NEWBORN UNTIL THE MOTHER IS RELEASED FROM THE HOSPITAL.

(2) THE ATTENDING PHYSICIAN OR CERTIFIED NURSE MIDWIFE OF THE MOTHER, OR THE DESIGNEE OF THE ATTENDING PHYSICIAN OR CERTIFIED NURSE MIDWIFE, SHALL PROVIDE NOTICE TO THE MOTHER OF THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION.”.