
By: ~~Delegate Pitkin~~ Delegates Pitkin, Donoghue, Love, Goldwater, Boston, Barve, Krysiak, Cummings, Kirk, Walkup, Frank, Pendergrass, and Exum

Introduced and read first time: January 10, 1996

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 14, 1996

CHAPTER ____

1 AN ACT concerning

2 **Health Insurance - Reconstructive Breast Surgery - Coverage**

3 FOR the purpose of requiring that certain insurers, nonprofit health service plans, and
4 health maintenance organizations provide coverage for certain reconstructive breast
5 surgery; defining a certain term; providing for the application of this Act; and
6 generally relating to the provision of coverage for certain reconstructive breast
7 surgery.

8 BY adding to

9 Article 48A - Insurance Code

10 Section 490FF

11 Annotated Code of Maryland

12 (1994 Replacement Volume and 1995 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article - Health - General

15 Section 19-706(d)

16 Annotated Code of Maryland

17 (1990 Replacement Volume and 1995 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

19 MARYLAND, That the Laws of Maryland read as follows:

2

1 **Article 48A - Insurance Code**

2 490FF.

3 (A) (1) IN THIS SECTION, "RECONSTRUCTIVE BREAST SURGERY" MEANS
4 SURGERY PERFORMED, FOLLOWING A MASTECTOMY, ON ONE BREAST OR BOTH
5 BREASTS TO REESTABLISH SYMMETRY BETWEEN THE TWO BREASTS.

6 (2) "RECONSTRUCTIVE BREAST SURGERY" INCLUDES AUGMENTATION
7 MAMMOPLASTY, REDUCTION MAMMOPLASTY, AND MASTOPEXY.

8 (B) AN INSURER OR NONPROFIT HEALTH SERVICE PLAN THAT PROVIDES
9 HOSPITAL, MEDICAL, OR SURGICAL BENEFITS FOR ISSUANCE OR DELIVERY IN THE
10 STATE TO ANY GROUP OR INDIVIDUAL ON AN EXPENSE-INCURRED BASIS,
11 INCLUDING A HEALTH MAINTENANCE ORGANIZATION, SHALL PROVIDE COVERAGE
12 FOR RECONSTRUCTIVE BREAST SURGERY.

13 **Article - Health - General**

14 19-706.

15 (d) (1) The provisions of Article 48A, § 58A of the Code and Article 48A,
16 Subtitles 9A and 11 shall apply to health maintenance organizations.

17 (2) THE PROVISIONS OF ARTICLE 48A, § 490FF OF THE CODE SHALL
18 APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
20 new policies or health benefit plans issued or delivered in the State on or after the
21 effective date of this Act and to the renewal of all policies in effect before that date,
22 except that any policy or health benefit plan in effect before October 1, 1996 shall comply
23 with the provisions of this Act no later than October 1, 1997.

24 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 1996.