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**By: Delegates Goldwater, Benson, Cryor, Doory, Eckardt, Grosfeld, Harrison, Kopp, Love, McIntosh, Menes, Parker, Pitkin, Snodgrass, Workman, Walkup, Pendergrass, Stup, Hecht, Nathan-Pulliam, Kagan, Petzold, Frush, Kirk, Donoghue, and Barve**

Introduced and read first time: January 18, 1996

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurers and Health Maintenance Organizations - Hospitalization Benefits**  
3 **for Childbirth - Payment for Extended Stay**

4 FOR the purpose of requiring health insurers and health maintenance organizations to  
5 pay the additional cost of hospitalization for a newborn whenever a mother is  
6 required to remain in the hospital and requests that the newborn remain in the  
7 hospital; requiring certain persons to provide certain notice to a mother; and  
8 generally relating to requiring health insurers and health maintenance organizations  
9 to pay for additional hospitalization benefits for a newborn under certain  
10 circumstances.

11 BY repealing and reenacting, with amendments,  
12 Article 48A - Insurance Code  
13 Section 354F, 470H, and 477-I  
14 Annotated Code of Maryland  
15 (1994 Replacement Volume and 1995 Supplement)

16 BY adding to  
17 Article - Health - General  
18 Section 19-703(g)  
19 Annotated Code of Maryland  
20 (1990 Replacement Volume and 1995 Supplement)

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

23 **Article 48A - Insurance Code**

24 354F.

25 (A) Every nonprofit health insurer who issues or delivers a health insurance policy  
26 to any person in this State under which any hospitalization benefits are provided for  
27 normal pregnancy shall provide those benefits for the cost of hospitalization for childbirth

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1 to the same extent as the hospitalization benefit provided in the policy for any covered  
2 illness.

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

9 (2) THE ATTENDING PHYSICIAN OF THE MOTHER OR DESIGNEE OF THE  
10 ATTENDING PHYSICIAN SHALL PROVIDE NOTICE TO THE MOTHER OF THE  
11 PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION.

12 (C) This [provision] SECTION may not be construed[, however,] to require any  
13 insurer to provide benefits for pregnancy or childbirth in any policy.

14 470H.

15 (A) Every insurer who issues or delivers an individual health insurance policy to  
16 any person in this State under which any hospitalization benefits are provided for normal  
17 pregnancy shall provide those benefits for the cost of hospitalization for childbirth to the  
18 same extent as the hospitalization benefit provided in the policy for any covered illness.

19 (B) (1) IN ADDITION TO THE PROVISIONS OF SUBSECTION (A) OF THIS  
20 SECTION, WHENEVER A MOTHER IS REQUIRED TO REMAIN HOSPITALIZED AFTER  
21 CHILDBIRTH FOR MEDICAL REASONS AND THE MOTHER REQUESTS THAT THE  
22 NEWBORN REMAIN IN THE HOSPITAL, AN INSURER SHALL PAY THE COST OF  
23 ADDITIONAL HOSPITALIZATION FOR THE NEWBORN UNTIL THE MOTHER IS  
24 RELEASED FROM THE HOSPITAL.

25 (2) THE ATTENDING PHYSICIAN OF THE MOTHER OR DESIGNEE OF THE  
26 ATTENDING PHYSICIAN SHALL PROVIDE NOTICE TO THE MOTHER OF THE  
27 PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION.

28 (C) This [provision] SECTION may not be construed[, however,] to require any  
29 insurer to provide benefits for pregnancy or childbirth in any policy.

30 477-I.

31 (A) Every insurer who issues or delivers a group or blanket health insurance policy  
32 under which any hospitalization benefits are provided for normal pregnancy shall provide  
33 those benefits for the cost of hospitalization for childbirth to the same extent as the  
34 hospitalization benefit provided in the policy for any covered illness.

35 (B) (1) IN ADDITION TO THE PROVISIONS OF SUBSECTION (A) OF THIS  
36 SECTION, WHENEVER A MOTHER IS REQUIRED TO REMAIN HOSPITALIZED AFTER  
37 CHILDBIRTH FOR MEDICAL REASONS AND THE MOTHER REQUESTS THAT THE  
38 NEWBORN REMAIN IN THE HOSPITAL, AN INSURER SHALL PAY THE COST OF  
39 ADDITIONAL HOSPITALIZATION FOR THE NEWBORN UNTIL THE MOTHER IS  
40 RELEASED FROM THE HOSPITAL.

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

4                   (C) This [provision] SECTION may not be construed[, however,] to require any  
5 insurer to provide benefits for pregnancy or childbirth in any policy.

6                   **Article - Health - General**

7 19-703.

8                   (G) (1) WHENEVER A MOTHER IS REQUIRED TO REMAIN HOSPITALIZED  
9 AFTER CHILDBIRTH FOR MEDICAL REASONS AND THE MOTHER REQUESTS THAT  
10 THE NEWBORN REMAIN IN THE HOSPITAL, A HEALTH MAINTENANCE  
11 ORGANIZATION SHALL PROVIDE AS PART OF ITS HOSPITALIZATION SERVICES  
12 PROVIDED TO MEMBERS AND SUBSCRIBERS PAYMENT FOR THE COST OF  
13 ADDITIONAL HOSPITALIZATION FOR THE NEWBORN UNTIL THE MOTHER IS  
14 RELEASED FROM THE HOSPITAL.

15                   (2) THE PROVIDER OF THE MOTHER OR DESIGNEE OF THE PROVIDER  
16 SHALL PROVIDE NOTICE TO THE MOTHER OF THE PROVISIONS OF PARAGRAPH (1)  
17 OF THIS SUBSECTION.

18                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 1996.