
By: Delegates Pitkin, Parker, Dewberry, B. Hughes, Palumbo, Benson, Kagan, Cadden, Conway, Goldwater, Hubbard, Menes, Proctor, Franchot, Crumlin, Vallario, McIntosh, Bobo, Exum, Pendergrass, Turner, Frush, Hurson, Edwards, Branch, Stocksdale, Harrison, Petzold, and Kopp

Introduced and read first time: February 2, 1996

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Insurance Identification Cards - Living Wills**

3 FOR the purpose of requiring insurers, nonprofit health service plans, and health
4 maintenance organizations to provide insureds with insurance identification cards;
5 requiring insurers, nonprofit health service plans, and health maintenance
6 organizations to ask insureds if they have living wills; requiring certain additional
7 information to be on insurance identification cards; defining terms; providing for a
8 delayed effective date; and generally relating to insurance identification cards and
9 living wills.

10 BY adding to

11 Article 48A - Insurance Code
12 Section 490FF
13 Annotated Code of Maryland
14 (1994 Replacement Volume and 1995 Supplement)

15 BY adding to

16 Article - Health - General
17 Section 19-706(l)
18 Annotated Code of Maryland
19 (1990 Replacement Volume and 1995 Supplement)

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

22 **Article 48A - Insurance Code**

23 490FF.

24 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
25 INDICATED.

26 (2) "CARRIER" MEANS:

27 (I) AN INSURER;

2

1 (II) A NONPROFIT HEALTH SERVICE PLAN; OR

2 (III) A HEALTH MAINTENANCE ORGANIZATION;

3 (3) "LIVING WILL" MEANS A WRITTEN ADVANCE DIRECTIVE EXECUTED
4 BY THE INSURED IN ACCORDANCE WITH THE REQUIREMENTS OF TITLE 5, SUBTITLE
5 6 OF THE HEALTH - GENERAL ARTICLE.

6 (B) WHEN AN INDIVIDUAL PURCHASES OR RENEWS A CONTRACT OR POLICY
7 WITH A CARRIER, THE CARRIER SHALL ASK THE INSURED WHETHER THE INSURED
8 HAS A LIVING WILL.

9 (C) (1) A CARRIER SHALL PROVIDE AN INSURANCE IDENTIFICATION CARD
10 TO EACH INSURED WHICH SHALL INCLUDE THE FOLLOWING:

11 (1) THE INSURED'S NAME AND DATE OF BIRTH;

12 (2) THE POLICY OR CONTRACT NUMBER;

13 (3) THE BEGINNING AND ENDING DATES OF COVERAGE;

14 (4) AT THE DISCRETION OF THE INSURED, NOTIFICATION THAT THE
15 INSURED HAS A LIVING WILL; AND

16 (5) ANY OTHER INFORMATION THAT THE COMMISSIONER CONSIDERS
17 NECESSARY.

18 **Article - Health - General**

19 19-706.

20 (L) THE PROVISIONS OF ARTICLE 48A, § 490FF OF THE CODE SHALL APPLY TO
21 HEALTH MAINTENANCE ORGANIZATIONS.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 1997.