

CF 6lr0434

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**By: Senator Green**

Introduced and read first time: January 19, 1996

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 23, 1996

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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; specifying coverage requirements; defining certain~~  
6 terms; providing for the application of this Act; and generally relating to the  
7 provision of coverage for certain reconstructive breast 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:

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

10 (2) "MASTECTOMY" MEANS THE SURGICAL REMOVAL OF ALL OR PART  
11 OF A BREAST AS A RESULT OF BREAST CANCER.

12 (3) (I) "RECONSTRUCTIVE BREAST SURGERY" MEANS SURGERY  
13 PERFORMED AS A RESULT OF A MASTECTOMY TO REESTABLISH SYMMETRY  
14 BETWEEN THE TWO BREASTS.

15 (II) "RECONSTRUCTIVE BREAST SURGERY" INCLUDES  
16 AUGMENTATION MAMMOPLASTY, REDUCTION MAMMOPLASTY, AND MASTOPEXY.

17 (B) AN INSURER OR NONPROFIT HEALTH SERVICE PLAN THAT PROVIDES  
18 HOSPITAL, MEDICAL, OR SURGICAL BENEFITS FOR ISSUANCE OR DELIVERY IN THE  
19 STATE TO ANY GROUP OR INDIVIDUAL ON AN EXPENSE-INCURRED BASIS,  
20 INCLUDING A HEALTH MAINTENANCE ORGANIZATION, SHALL PROVIDE COVERAGE  
21 FOR RECONSTRUCTIVE BREAST SURGERY RESULTING FROM A MASTECTOMY.

22 (C) THE COVERAGE REQUIRED UNDER SUBSECTION (B) OF THIS SECTION  
23 SHALL INCLUDE COVERAGE FOR ALL STAGES OF RECONSTRUCTIVE BREAST  
24 SURGERY PERFORMED ON A NONDISEASED BREAST TO ESTABLISH SYMMETRY  
25 WITH THE DISEASED BREAST WHEN RECONSTRUCTIVE BREAST SURGERY ON THE  
26 DISEASED BREAST IS PERFORMED.

27 **Article - Health - General**

28 19-706.

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

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

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

38 SECTION 2- 3, AND BE IT FURTHER ENACTED, That this Act shall take effect  
39 October 1, 1996.

