
**By: Senators Forehand, Hollinger, Ruben, Lawlah, Roesser, Kelley, Dyson, Hughes,
Hoffman, Frosh, Van Hollen, and Collins**

Introduced and read first time: January 29, 1996

Assigned to: Finance

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
28 to the same extent as the hospitalization benefit provided in the policy for any covered
29 illness.

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

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

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

12 470H.

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

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

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

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

28 477-I.

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

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

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

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

3 **Article - Health - General**

4 19-703.

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

12 (2) THE PROVIDER OF THE MOTHER OR DESIGNEE OF THE PROVIDER
13 SHALL PROVIDE NOTICE TO THE MOTHER OF THE PROVISIONS OF PARAGRAPH (1)
14 OF THIS SUBSECTION.

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