

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 724

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “Health Insurers and Life Insurers - Disclosure of Medical Information”; strike in their entirety lines 4 through 12, inclusive, and substitute:

“FOR the purpose of requiring certain medical files on applicants compiled by health insurers and life insurers to be made available for inspection to a physician of the applicant’s choice under certain circumstances; authorizing a certain insurer to disclose certain medical information to a physician of an insured’s choice under certain circumstances; requiring a life insurer that denies a policy of life insurance to an applicant to disclose to a certain physician the results of a certain medical examination on request of the applicant; and generally relating to requirements for health insurers and life insurers to disclose medical information.”;

and strike in their entirety lines 13 through 18, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article - Insurance

Section 4-402(a) and 4-403(b)(1)

Annotated Code of Maryland

(1995 Volume and 1996 Supplement)

(As enacted by Chapter 36 of the Acts of the General Assembly of 1995 and

Chapter ____ (H.B. 387) of the Acts of the General Assembly of 1997)

BY adding to

Article - Insurance

Section 4-404

Annotated Code of Maryland

(Over)

(1995 Volume and 1996 Supplement)

(As enacted by Chapter 36 of the Acts of the General Assembly of 1995 and Chapter _____ (H.B. 387) of the Acts of the General Assembly of 1997)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 22 on page 1 through line 20 on page 2, inclusive, and substitute:

“4-402.

(a) Medical files on applicants and claimants that are compiled by insurers under policies of health insurance or life insurance shall be made available for inspection:

(1) on request of the applicant or claimant; [or]

(2) ON REQUEST OF the agent of the applicant or claimant; OR

(3) ON REQUEST OF THE APPLICANT, A PHYSICIAN OF THE APPLICANT’S CHOICE.

4-403.

(b) (1) An insurer may disclose specific medical information contained in an insured’s medical records to:

(I) the insured; [or]

(II) the insured’s agent or representative; OR

(III) ON REQUEST OF THE INSURED, A PHYSICIAN OF THE INSURED’S CHOICE.

4-404.

IF A LIFE INSURER DENIES A POLICY OF LIFE INSURANCE TO AN APPLICANT, THE LIFE INSURER SHALL DISCLOSE THE RESULTS OF ANY MEDICAL EXAMINATION ADMINISTERED TO DETERMINE THE APPLICANT’S INSURABILITY TO A PHYSICIAN

OF THE APPLICANT'S CHOICE IF THE APPLICANT SO REQUESTS."