

BY: Finance Committee

AMENDMENTS TO HOUSE BILL NO. 668

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Advisory Panel on Mandated Health Insurance Benefits"; and strike in their entirety lines 3 through 14, inclusive, and substitute:

"FOR the purpose of establishing an Advisory Panel on Mandated Health Insurance Benefits; specifying the purpose, membership, and duties of the Advisory Panel; requiring the Advisory Panel to conduct a certain review of all mandated health insurance benefits; requiring the Advisory Panel to submit a certain report to certain persons on or before a certain date; providing for the effect of certain provisions of this Act; defining certain terms; repealing certain provisions of law related to the establishment and duties of the Interdepartmental Committee on Mandated Health Insurance Benefits; providing for the termination of certain provisions of this Act; and generally relating to establishing an Advisory Panel on Mandated Health Insurance Benefits."

On page 2, strike beginning with "Health" in line 9 down through "Evaluation" in line 10, and substitute "Advisory Panel on Mandated Health Insurance Benefits".

AMENDMENT NO. 2

On pages 2 through 9, strike in their entirety the lines beginning with line 24 on page 2 through line 12 on page 9, inclusive, and substitute:

"Article 48A - Insurance Code

490M.

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

(Over)

(2) “ADVISORY PANEL” MEANS THE ADVISORY PANEL ON MANDATED HEALTH INSURANCE BENEFITS.

(3) (I) “MANDATED HEALTH INSURANCE BENEFIT” MEANS A LEGISLATIVE PROPOSAL OR A STATUTE THAT WOULD REQUIRE A PARTICULAR HEALTH CARE SERVICE, BENEFIT, COVERAGE, OR REIMBURSEMENT FOR COVERED HEALTH CARE SERVICES TO BE PROVIDED OR OFFERED IN A HEALTH BENEFIT PLAN, BY A CARRIER OR OTHER ORGANIZATION AUTHORIZED TO PROVIDE HEALTH BENEFIT PLANS IN THE STATE.

(II) “MANDATED HEALTH INSURANCE BENEFIT” INCLUDES A LEGISLATIVE PROPOSAL OR A STATUTE THAT WOULD REQUIRE A HEALTH BENEFIT PLAN THAT PROVIDES REIMBURSEMENT FOR A SERVICE TO PROVIDE REIMBURSEMENT FOR THAT SERVICE WHEN PERFORMED BY ANY HEALTH CARE PROVIDER WHO IS LICENSED UNDER THE HEALTH OCCUPATIONS ARTICLE AND WHOSE SCOPE OF PRACTICE INCLUDES THAT SERVICE.

(III) “MANDATED HEALTH INSURANCE BENEFIT”, AS APPLICABLE TO ALL CARRIERS, DOES NOT INCLUDE SERVICES ENUMERATED TO DESCRIBE A HEALTH MAINTENANCE ORGANIZATION UNDER § 19-701(F)(2) OF THE HEALTH - GENERAL ARTICLE.

(B) THIS SECTION DOES NOT AFFECT THE ABILITY OF THE GENERAL ASSEMBLY TO ENACT LEGISLATION ON MANDATED HEALTH INSURANCE BENEFITS.

(C) THERE IS AN ADVISORY PANEL ON MANDATED HEALTH INSURANCE BENEFITS.

(D) THE PURPOSE OF THE ADVISORY PANEL IS TO PROVIDE MEMBERS OF THE MARYLAND GENERAL ASSEMBLY WITH AN ASSESSMENT OF THE CLINICAL AND ECONOMIC IMPACT OF EACH MANDATED HEALTH INSURANCE BENEFIT ON CONSUMERS, HEALTH CARE PROVIDERS, AND THIRD PARTY PAYORS.

(E) (1) THE ADVISORY PANEL CONSISTS OF:

(I) TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED

BY THE PRESIDENT OF THE SENATE;

(II) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;

(III) TWO PHYSICIANS FROM THE JOHNS HOPKINS SCHOOL OF MEDICINE, APPOINTED BY THE DEAN;

(IV) ONE HEALTH ECONOMIST FROM THE JOHNS HOPKINS SCHOOL OF HYGIENE AND PUBLIC HEALTH, APPOINTED BY THE DEAN;

(V) TWO PHYSICIANS FROM THE UNIVERSITY OF MARYLAND SCHOOL OF MEDICINE, APPOINTED BY THE DEAN;

(VI) ONE REPRESENTATIVE FROM COPPIN STATE COLLEGE SCHOOL OF NURSING, APPOINTED BY THE DEAN;

(VII) SEVEN NONPHYSICIAN HEALTH CARE PROVIDERS TO WHOM HEALTH BENEFIT PLANS ARE REQUIRED TO PROVIDE REIMBURSEMENT AS A MANDATED HEALTH INSURANCE BENEFIT, APPOINTED BY THE GOVERNOR;

(VIII) ONE REPRESENTATIVE OF THE MEDICAL AND CHIRURGICAL FACULTY OF MARYLAND;

(IX) ONE REPRESENTATIVE OF THE MARYLAND HOSPITAL ASSOCIATION;

(X) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF HEALTH MAINTENANCE ORGANIZATIONS;

(XI) ONE REPRESENTATIVE OF A NONPROFIT HEALTH SERVICE PLAN;

(Over)

(XII) ONE REPRESENTATIVE OF THE LEAGUE OF LIFE AND HEALTH INSURERS;

(XIII) ONE REPRESENTATIVE OF THE HEALTH INSURANCE ASSOCIATION OF AMERICA;

(XIV) THE SECRETARY OF HEALTH AND MENTAL HYGIENE OR THE SECRETARY'S DESIGNEE; AND

(XV) THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE.

(2) THE GOVERNOR SHALL SELECT A CHAIRMAN FROM AMONG THE MEMBERS OF THE ADVISORY PANEL.

(3) THE ADVISORY PANEL SHALL MEET AT THE TIMES AND PLACES IT DETERMINES.

(F) THE ADVISORY PANEL SHALL UNDERTAKE AN ONGOING AND SYSTEMATIC REVIEW OF ALL CURRENT AND PROPOSED MANDATED HEALTH INSURANCE BENEFITS IN THIS STATE FOR THE PURPOSE OF EVALUATING THEIR COST EFFECTIVENESS AND MAKING RECOMMENDATIONS AS TO CONTINUING, MODIFYING, OR REPEALING CURRENT MANDATED HEALTH INSURANCE BENEFITS AND APPROVING OR DISAPPROVING PROPOSED MANDATED HEALTH INSURANCE BENEFITS.

(G) AS PART OF ITS REVIEW UNDER SUBSECTION (F) OF THIS SECTION, THE ADVISORY PANEL SHALL:

(1) IF CONSIDERED APPROPRIATE BY THE ADVISORY PANEL, EVALUATE RELEVANT MEDICAL LITERATURE;

(2) CONDUCT SURVEYS OF CONSUMERS, HEALTH CARE PROVIDERS, AND THIRD PARTY PAYORS;

(3) PERFORM ECONOMIC ANALYSES OF HEALTH CLAIMS DATA; AND
(4) CONSIDER:

(I) THE COST OF THE MANDATED HEALTH INSURANCE BENEFIT;

(II) THE EFFECTIVENESS OF THE MANDATED HEALTH INSURANCE BENEFIT ON IMPROVING HEALTH STATUS;

(III) THE PERCENTAGE OF THE POPULATION UTILIZING THE MANDATED HEALTH INSURANCE BENEFIT; AND

(IV) ANY OTHER INFORMATION THE ADVISORY PANEL CONSIDERS APPROPRIATE.

(H) (1) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND THE ADMINISTRATION SHALL PROVIDE STAFF SUPPORT TO THE ADVISORY PANEL.

(2) SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, THE ADVISORY PANEL MAY CONTRACT FOR ACTUARIAL SERVICES AND OTHER PROFESSIONAL SERVICES TO CARRY OUT THE PROVISIONS OF THIS SECTION.

(I) ON OR BEFORE DECEMBER 1, 1998, SUBJECT TO § 2-1312 OF THE STATE GOVERNMENT ARTICLE, THE ADVISORY PANEL SHALL SUBMIT A REPORT ON ITS FINDINGS, INCLUDING ANY RECOMMENDATIONS, TO THE PRESIDENT OF THE SENATE OF MARYLAND, THE SPEAKER OF THE MARYLAND HOUSE OF DELEGATES, AND THE RESPECTIVE CHAIRMEN OF THE SENATE FINANCE COMMITTEE, THE HOUSE ECONOMIC MATTERS COMMITTEE, AND THE HOUSE ENVIRONMENTAL MATTERS COMMITTEE.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Insurance

(Over)

SUBTITLE 13. ADVISORY PANEL ON MANDATED HEALTH INSURANCE BENEFITS.

15-1301.

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

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(II) "MANDATED HEALTH INSURANCE BENEFIT" INCLUDES A LEGISLATIVE PROPOSAL OR A STATUTE THAT WOULD REQUIRE A HEALTH BENEFIT PLAN THAT PROVIDES REIMBURSEMENT FOR A SERVICE TO PROVIDE REIMBURSEMENT FOR THAT SERVICE WHEN PERFORMED BY ANY HEALTH CARE PROVIDER WHO IS LICENSED UNDER THE HEALTH OCCUPATIONS ARTICLE AND WHOSE SCOPE OF PRACTICE INCLUDES THAT SERVICE.

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(B) THIS SECTION DOES NOT AFFECT THE ABILITY OF THE GENERAL ASSEMBLY TO ENACT LEGISLATION ON MANDATED HEALTH INSURANCE BENEFITS.

(C) THERE IS AN ADVISORY PANEL ON MANDATED HEALTH INSURANCE

BENEFITS.

(D) THE PURPOSE OF THE ADVISORY PANEL IS TO PROVIDE MEMBERS OF THE MARYLAND GENERAL ASSEMBLY WITH AN ASSESSMENT OF THE CLINICAL AND ECONOMIC IMPACT OF EACH MANDATED HEALTH INSURANCE BENEFIT ON CONSUMERS, HEALTH CARE PROVIDERS, AND THIRD PARTY PAYORS.

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(II) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;

(III) TWO PHYSICIANS FROM THE JOHNS HOPKINS SCHOOL OF MEDICINE, APPOINTED BY THE DEAN;

(IV) ONE HEALTH ECONOMIST FROM THE JOHNS HOPKINS SCHOOL OF HYGIENE AND PUBLIC HEALTH, APPOINTED BY THE DEAN;

(V) TWO PHYSICIANS FROM THE UNIVERSITY OF MARYLAND SCHOOL OF MEDICINE, APPOINTED BY THE DEAN;

(VI) ONE REPRESENTATIVE FROM COPPIN STATE COLLEGE SCHOOL OF NURSING, APPOINTED BY THE DEAN;

(VII) SEVEN NONPHYSICIAN HEALTH CARE PROVIDERS TO WHOM HEALTH BENEFIT PLANS ARE REQUIRED TO PROVIDE REIMBURSEMENT AS A MANDATED HEALTH INSURANCE BENEFIT, APPOINTED BY THE GOVERNOR;

(VIII) ONE REPRESENTATIVE OF THE MEDICAL AND CHIRURGICAL FACULTY OF MARYLAND;

(Over)

(IX) ONE REPRESENTATIVE OF THE MARYLAND HOSPITAL ASSOCIATION;

(X) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF HEALTH MAINTENANCE ORGANIZATIONS;

(XI) ONE REPRESENTATIVE OF A NONPROFIT HEALTH SERVICE PLAN;

(XII) ONE REPRESENTATIVE OF THE LEAGUE OF LIFE AND HEALTH INSURERS;

(XIII) ONE REPRESENTATIVE OF THE HEALTH INSURANCE ASSOCIATION OF AMERICA;

(XIV) THE SECRETARY OF HEALTH AND MENTAL HYGIENE OR THE SECRETARY'S DESIGNEE; AND

(XV) THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE.

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(F) THE ADVISORY PANEL SHALL UNDERTAKE AN ONGOING AND SYSTEMATIC REVIEW OF ALL CURRENT AND PROPOSED MANDATED HEALTH INSURANCE BENEFITS IN THIS STATE FOR THE PURPOSE OF EVALUATING THEIR COST EFFECTIVENESS AND MAKING RECOMMENDATIONS AS TO CONTINUING, MODIFYING, OR REPEALING CURRENT MANDATED HEALTH INSURANCE BENEFITS AND APPROVING OR DISAPPROVING PROPOSED MANDATED HEALTH INSURANCE BENEFITS.

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(1) IF CONSIDERED APPROPRIATE BY THE ADVISORY PANEL, EVALUATE RELEVANT MEDICAL LITERATURE;

(2) CONDUCT SURVEYS OF CONSUMERS, HEALTH CARE PROVIDERS, AND THIRD PARTY PAYORS;

(3) PERFORM ECONOMIC ANALYSES OF HEALTH CLAIMS DATA; AND

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(I) THE COST OF THE MANDATED HEALTH INSURANCE BENEFIT;

(II) THE EFFECTIVENESS OF THE MANDATED HEALTH INSURANCE BENEFIT ON IMPROVING HEALTH STATUS;

(III) THE PERCENTAGE OF THE POPULATION UTILIZING THE MANDATED HEALTH INSURANCE BENEFIT; AND

(IV) ANY OTHER INFORMATION THE ADVISORY PANEL CONSIDERS APPROPRIATE.

(H) (1) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND THE ADMINISTRATION SHALL PROVIDE STAFF SUPPORT TO THE ADVISORY PANEL.

(2) SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, THE ADVISORY PANEL MAY CONTRACT FOR ACTUARIAL SERVICES AND OTHER PROFESSIONAL SERVICES TO CARRY OUT THE PROVISIONS OF THIS SECTION.

(I) ON OR BEFORE DECEMBER 1, 1998, SUBJECT TO § 2-1312 OF THE STATE GOVERNMENT ARTICLE, THE ADVISORY PANEL SHALL SUBMIT A REPORT ON ITS

(Over)

FINDINGS, INCLUDING ANY RECOMMENDATIONS, TO THE PRESIDENT OF THE SENATE OF MARYLAND, THE SPEAKER OF THE MARYLAND HOUSE OF DELEGATES, AND THE RESPECTIVE CHAIRMEN OF THE SENATE FINANCE COMMITTEE, THE HOUSE ECONOMIC MATTERS COMMITTEE, AND THE HOUSE ENVIRONMENTAL MATTERS COMMITTEE.

SECTION 5. AND BE IT FURTHER ENACTED, That the Advisory Panel on Mandated Health Insurance Benefits may make reasonable requests on carriers to submit data on the cost of a mandated health insurance benefit, utilization of a mandated health insurance benefit, and any other information the Advisory Panel considers necessary to carry out the provisions of this Act.

SECTION 6. AND BE IT FURTHER ENACTED, That Sections 2 and 4 of this Act shall take effect October 1, 1997. Section 4 of this Act shall remain effective for a period of 1 year and 9 months and, at the end of June 30, 1999, with no further action required by the General Assembly, Section 4 of this Act shall be abrogated and of no further force and effect.

SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in Section 6 of this Act, this Act shall take effect July 1, 1997. Section 5 of this Act shall remain effective for a period of 2 years and, at the end of June 30, 1999, with no further action required by the General Assembly, Section 5 of this Act shall be abrogated and of no further force and effect.”.