

CF 7r1012

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**By: Delegates Goldwater, Pitkin, Workman, Kopp, Barve, Bobo, and Pendergrass**

Introduced and read first time: January 17, 1997

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Health Benefit Plans - Minimum Inpatient Hospitalization Coverage - Mastectomies and**  
3 **Lymph Node Dissections**

4 FOR the purpose of requiring certain insurers, nonprofit health service plans, and health  
5 maintenance organizations to provide a certain minimum length of inpatient  
6 hospitalization coverage after a mastectomy or lymph node dissection that is  
7 performed for the treatment of breast cancer; providing for the construction of this  
8 Act; requiring certain persons to provide a certain notice; providing for the  
9 application of this Act; defining a certain term; and generally relating to requiring  
10 certain insurers, nonprofit health service plans, and health maintenance  
11 organizations to provide a certain minimum length of inpatient hospitalization  
12 coverage after a mastectomy or lymph node dissection under certain circumstances.

13 BY adding to

14 Article - Insurance  
15 Section 15-822  
16 Annotated Code of Maryland  
17 (1995 Volume and 1996 Supplement)  
18 (As enacted by Chapter \_\_\_\_\_ (H.B. 11) of the Acts of the General Assembly of 1997)

19 BY adding to

20 Article - Health - General  
21 Section 19-706(n)  
22 Annotated Code of Maryland  
23 (1996 Replacement Volume and 1996 Supplement)

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

26 **Article - Insurance**

27 15-822.

28 (A) IN THIS SECTION, "MASTECTOMY" MEANS THE SURGICAL REMOVAL OF  
29 ALL OR PART OF A BREAST AS A RESULT OF BREAST CANCER.

30 (B) THIS SECTION APPLIES TO:

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1 (1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT PROVIDE  
2 INPATIENT HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR  
3 GROUPS ON AN EXPENSE-INCURRED BASIS UNDER HEALTH INSURANCE POLICIES  
4 OR CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE OR THAT COVER  
5 INDIVIDUALS WHO RESIDE AND WORK IN THE STATE; AND

6 (2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE  
7 INPATIENT HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR  
8 GROUPS UNDER CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE OR  
9 THAT COVER INDIVIDUALS WHO RESIDE AND WORK IN THE STATE.

10 (C) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR  
11 THE COST OF INPATIENT HOSPITALIZATION SERVICES FOR A MINIMUM OF:

12 (1) 48 HOURS OF INPATIENT HOSPITALIZATION CARE AFTER A  
13 MASTECTOMY; AND

14 (2) 24 HOURS OF INPATIENT HOSPITALIZATION CARE AFTER A LYMPH  
15 NODE DISSECTION FOR THE TREATMENT OF BREAST CANCER.

16 (D) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE THE PROVISION OF  
17 INPATIENT HOSPITALIZATION SERVICES IN ACCORDANCE WITH SUBSECTION (C) OF  
18 THIS SECTION WHENEVER THE PATIENT DECIDES THAT A SHORTER PERIOD OF  
19 INPATIENT HOSPITALIZATION IS APPROPRIATE FOR RECOVERY.

20 (E) EACH ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE NOTICE  
21 ANNUALLY TO ITS ENROLLEES AND INSUREDS ABOUT THE COVERAGE REQUIRED  
22 BY THIS SECTION.

23 **Article - Health - General**

24 19-706.

25 (N) THE PROVISIONS OF § 15-822 OF THE INSURANCE ARTICLE SHALL APPLY  
26 TO HEALTH MAINTENANCE ORGANIZATIONS.

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