
By: Delegate Menes

Introduced and read first time: January 22, 1997

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Insurers - Medical Information - Disclosure**

3 FOR the purpose of requiring insurers to provide certain applicants and insureds with an
4 opportunity to request and provide certain consent to disclosure of the results of
5 medical tests and examinations under certain circumstances; specifying the time
6 period within which the insurer must disclose the medical information under certain
7 circumstances; and generally relating to requiring insurers to disclose certain
8 medical information to certain persons under certain circumstances.

9 BY adding to

10 Article - Insurance
11 Section 4-401 to be under the new subtitle "Subtitle 4. Required Disclosure of
12 Information"
13 Annotated Code of Maryland
14 (1995 Volume and 1996 Supplement)
15 (As enacted by Chapter 36 of the Acts of the General Assembly of 1995)

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

18 **Article - Insurance**

19 SUBTITLE 4. REQUIRED DISCLOSURE OF INFORMATION.

20 4-401.

21 (A) IN ADDITION TO THE PROVISIONS OF §§ 4-402 AND 4-403 OF THIS
22 SUBTITLE, AT THE TIME OF APPLICATION, AN INSURER THAT REQUIRES AN
23 APPLICANT OR INSURED TO TAKE OR HAVE PERFORMED MEDICAL TESTS OR
24 EXAMINATIONS AS A CONDITION OF OBTAINING INITIAL COVERAGE OR
25 CONTINUING COVERAGE WITH THE INSURER SHALL PROVIDE AN OPPORTUNITY
26 FOR THE APPLICANT OR INSURED TO REQUEST AND PROVIDE WRITTEN CONSENT
27 TO THE DISCLOSURE OF THE RESULTS OF THE MEDICAL TESTS OR EXAMINATIONS
28 TO THE APPLICANT OR INSURED OR TO A PHYSICIAN DESIGNATED BY THE
29 APPLICANT OR INSURED IF THE APPLICANT OR INSURED IS DENIED INITIAL
30 COVERAGE OR CONTINUING COVERAGE WITH THE INSURER.

2

1 (B) WITHIN 30 BUSINESS DAYS AFTER AN INSURER DENIES INITIAL
2 COVERAGE OR CONTINUING COVERAGE, THE INSURER SHALL PROVIDE IN WRITING
3 THE MEDICAL INFORMATION REQUESTED UNDER SUBSECTION (A) OF THIS SECTION
4 TO THE APPLICANT OR INSURED OR THE PHYSICIAN DESIGNATED BY THE
5 APPLICANT OR INSURED.

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