
By: Delegate Walkup

Introduced and read first time: January 24, 1997

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance - 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; requiring that insurers, nonprofit
8 health service plans, and health maintenance organizations provide coverage for
9 home visits under certain circumstances; requiring certain persons to provide a
10 certain notice; providing for the application of this Act; defining a certain term; and
11 generally relating to requiring certain insurers, nonprofit health service plans, and
12 health maintenance organizations to provide a certain minimum length of inpatient
13 hospitalization coverage after a mastectomy or lymph node dissection under certain
14 circumstances.

15 BY adding to

16 Article - Insurance
17 Section 15-822
18 Annotated Code of Maryland
19 (1995 Volume and 1996 Supplement)
20 (As enacted by Chapter ____ (H.B. 11) of the Acts of the General Assembly of
21 1997)

22 BY adding to

23 Article - Health - General
24 Section 19-706(n)
25 Annotated Code of Maryland
26 (1996 Replacement Volume and 1996 Supplement)

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

2

1 **Article - Insurance**

2 15-822.

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

5 (B) THIS SECTION APPLIES TO:

6 (1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT PROVIDE
7 INPATIENT HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR
8 GROUPS ON AN EXPENSE-INCURRED BASIS UNDER HEALTH INSURANCE POLICIES
9 OR CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE; AND

10 (2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE
11 INPATIENT HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR
12 GROUPS UNDER CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.

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

15 (1) 48 HOURS OF INPATIENT HOSPITALIZATION CARE AFTER A
16 MASTECTOMY; AND

17 (2) 24 HOURS OF INPATIENT HOSPITALIZATION CARE AFTER A LYMPH
18 NODE DISSECTION FOR THE TREATMENT OF BREAST CANCER.

19 (D) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE THE PROVISION OF
20 INPATIENT HOSPITALIZATION SERVICES IN ACCORDANCE WITH SUBSECTION (C) OF
21 THIS SECTION WHENEVER THE PATIENT DECIDES, IN CONSULTATION WITH THE
22 PATIENT'S ATTENDING PHYSICIAN, THAT A SHORTER PERIOD OF INPATIENT
23 HOSPITALIZATION IS APPROPRIATE FOR RECOVERY OR THAT THE MASTECTOMY
24 OR LYMPH NODE DISSECTION CAN BE PERFORMED ON AN OUTPATIENT BASIS.

25 (E) FOR A PATIENT WHO HAS A SHORTER HOSPITAL STAY THAN THAT
26 PROVIDED UNDER SUBSECTION (C) OF THIS SECTION OR DECIDES THAT THE
27 MASTECTOMY OR LYMPH NODE DISSECTION CAN BE PERFORMED ON AN
28 OUTPATIENT BASIS, AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE
29 COVERAGE FOR:

30 (1) ONE HOME VISIT SCHEDULED TO OCCUR WITHIN 24 HOURS AFTER
31 DISCHARGE FROM THE HOSPITAL OR OUTPATIENT HEALTH CARE FACILITY; AND

32 (2) AN ADDITIONAL HOME VISIT IF PRESCRIBED BY THE PATIENT'S
33 ATTENDING PHYSICIAN.

34 (F) EACH ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE NOTICE
35 ANNUALLY TO ITS ENROLLEES AND INSURED ABOUT THE COVERAGE REQUIRED
36 BY THIS SECTION.

3

1 **Article - Health - General**

2 19-706.

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

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