

BY: Conference Committee

AMENDMENTS TO SENATE BILL NO. 136

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Benefits" and substitute "Services"; in lines 14, 18, and 23, in each instance, strike "benefits" and substitute "services".

On page 2, in line 7, strike "Benefits" and substitute "Services".

AMENDMENT NO. 2

On page 2, in line 17, strike "BENEFITS" and substitute "SERVICES".

On pages 2 and 3, strike in their entirety the lines beginning with line 26 on page 2 through line 4 on page 3, inclusive, and substitute:

"(3) (I) "MANDATED HEALTH INSURANCE SERVICE" MEANS A LEGISLATIVE PROPOSAL OR STATUTE THAT WOULD REQUIRE A PARTICULAR HEALTH CARE SERVICE 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 SERVICE", AS APPLICABLE TO ALL CARRIERS, DOES NOT INCLUDE SERVICES ENUMERATED TO DESCRIBE A HEALTH MAINTENANCE ORGANIZATION UNDER § 19-702(F)(2) OF THE HEALTH - GENERAL ARTICLE."

AMENDMENT NO. 3

On page 3, in line 6, strike "BENEFITS" and substitute "SERVICES".

On page 4, strike in their entirety lines 13 through 19, inclusive.

(Over)

On page 5, strike in their entirety lines 3 through 9, inclusive, and substitute:

“(C) (1) THE COMMISSION SHALL ASSESS THE SOCIAL, MEDICAL, AND FINANCIAL IMPACTS OF A PROPOSED MANDATED HEALTH INSURANCE SERVICE.

(2) IN ASSESSING A PROPOSED MANDATED HEALTH INSURANCE SERVICE AND TO THE EXTENT THAT INFORMATION IS AVAILABLE, THE COMMISSION SHALL CONSIDER:

(I) SOCIAL IMPACTS, INCLUDING:

1. THE EXTENT TO WHICH THE SERVICE IS GENERALLY UTILIZED BY A SIGNIFICANT PORTION OF THE POPULATION;

2. THE EXTENT TO WHICH THE INSURANCE COVERAGE IS ALREADY GENERALLY AVAILABLE;

3. IF COVERAGE IS NOT GENERALLY AVAILABLE, THE EXTENT TO WHICH THE LACK OF COVERAGE RESULTS IN INDIVIDUALS AVOIDING NECESSARY HEALTH CARE TREATMENTS;

4. IF COVERAGE IS NOT GENERALLY AVAILABLE, THE EXTENT TO WHICH THE LACK OF COVERAGE RESULTS IN UNREASONABLE FINANCIAL HARDSHIP;

5. THE LEVEL OF PUBLIC DEMAND FOR THE SERVICE;

6. THE LEVEL OF PUBLIC DEMAND FOR INSURANCE COVERAGE OF THE SERVICE;

7. THE LEVEL OF INTEREST OF COLLECTIVE BARGAINING AGENTS IN NEGOTIATING PRIVATELY FOR INCLUSION OF THIS COVERAGE IN GROUP CONTRACTS; AND

8. THE EXTENT TO WHICH THE MANDATED HEALTH INSURANCE SERVICE IS COVERED BY SELF-FUNDED EMPLOYER GROUPS OF

EMPLOYERS IN THE STATE WHO EMPLOY AT LEAST 500 EMPLOYEES;

(II) MEDICAL IMPACTS, INCLUDING:

1. THE EXTENT TO WHICH THE SERVICE IS GENERALLY RECOGNIZED BY THE MEDICAL COMMUNITY AS BEING EFFECTIVE AND EFFICACIOUS IN THE TREATMENT OF PATIENTS;

2. THE EXTENT TO WHICH THE SERVICE IS GENERALLY RECOGNIZED BY THE MEDICAL COMMUNITY AS DEMONSTRATED BY A REVIEW OF SCIENTIFIC AND PEER REVIEW LITERATURE; AND

3. THE EXTENT TO WHICH THE SERVICE IS GENERALLY AVAILABLE AND UTILIZED BY TREATING PHYSICIANS; AND

(III) FINANCIAL IMPACTS, INCLUDING:

1. THE EXTENT TO WHICH THE COVERAGE WILL INCREASE OR DECREASE THE COST OF THE SERVICE;

2. THE EXTENT TO WHICH THE COVERAGE WILL INCREASE THE APPROPRIATE USE OF THE SERVICE;

3. THE EXTENT TO WHICH THE MANDATED SERVICE WILL BE A SUBSTITUTE FOR A MORE EXPENSIVE SERVICE;

4. THE EXTENT TO WHICH THE COVERAGE WILL INCREASE OR DECREASE THE ADMINISTRATIVE EXPENSES OF INSURERS AND THE PREMIUM AND ADMINISTRATIVE EXPENSES OF POLICYHOLDERS;

5. THE IMPACT OF THIS COVERAGE ON THE TOTAL COST OF HEALTH CARE; AND

(Over)

6. THE IMPACT OF ALL MANDATED HEALTH INSURANCE SERVICES ON EMPLOYERS' ABILITY TO PURCHASE HEALTH BENEFITS POLICIES MEETING THEIR EMPLOYEES' NEEDS.”;

in lines 10 and 13, strike “(E)” and “(F)”, respectively, and substitute “(D)” and “(E)”, respectively; in lines 14 and 15, strike “SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE,”; strike beginning with “PRESIDENT” in line 16 down through “COMMITTEE” in line 20 and substitute “GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY”; in line 24, in each instance, strike “benefit” and substitute “service”; in line 28, strike “benefit” and substitute “service”; and in lines 35 and 38, in each instance, strike “benefits” and substitute “services”.

On page 6, in line 3, strike “benefits” and substitute “services”.