

HOUSE BILL 457

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1998 Regular Session  
8lr0423  
CF 8lr1836

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By: **Delegates Grosfeld, Hurson, Billings, R. Baker, Benson, Bobo, Boston, Doory, Exum, Genn, Goldwater, Hecht, Howard, Hubbard, Jones, Kagan, Kopp, Kirk, Krysiak, Mandel, Marriott, McIntosh, Menes, C. Mitchell, Montague, Muse, Nathan-Pulliam, Patterson, Pendergrass, Petzold, Rosenberg, Miller, and Turner**

Introduced and read first time: February 4, 1998  
Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Health Benefit Plans - Coverage for Prescription Contraceptive Drugs or**  
3                                   **Devices**

4 FOR the purpose of requiring certain insurers, nonprofit health service plans, and  
5 health maintenance organizations to provide coverage under certain  
6 circumstances for contraceptive drugs or devices approved by the United States  
7 Food and Drug Administration for use as contraceptives; and imposing a certain  
8 limitation on administration of the coverage.

9 BY adding to  
10 Article - Insurance  
11 Section 15-826  
12 Annotated Code of Maryland  
13 (1997 Volume)

14 BY repealing and reenacting, with amendments,  
15 Article - Health - General  
16 Section 19-706(i)  
17 Annotated Code of Maryland  
18 (1996 Replacement Volume and 1997 Supplement)

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

21                                   **Article - Insurance**

22 15-826.

23 (A) THIS SECTION APPLIES TO:

1 (1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT PROVIDE  
2 COVERAGE FOR DRUGS UNDER HEALTH INSURANCE POLICIES OR CONTRACTS THAT  
3 ARE ISSUED OR DELIVERED IN THE STATE;

4 (2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE COVERAGE  
5 FOR DRUGS UNDER CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE;  
6 AND

7 (3) HEALTH INSURANCE CONTRACTS OR POLICIES THAT PROVIDE  
8 COVERAGE FOR DRUGS AND THAT ARE ISSUED TO SMALL EMPLOYERS UNDER  
9 SUBTITLE 12 OF THIS TITLE.

10 (B) AN ENTITY SUBJECT TO THIS SECTION:

11 (1) SHALL PROVIDE COVERAGE FOR ANY CONTRACEPTIVE DRUG OR  
12 DEVICE THAT IS APPROVED BY THE UNITED STATES FOOD AND DRUG  
13 ADMINISTRATION FOR USE AS A CONTRACEPTIVE AND THAT IS OBTAINED UNDER A  
14 PRESCRIPTION WRITTEN BY AN AUTHORIZED PRESCRIBER AS DEFINED IN § 12-101  
15 OF THE HEALTH OCCUPATIONS ARTICLE;

16 (2) SHALL PROVIDE COVERAGE FOR THE INSERTION AND ANY  
17 MEDICALLY NECESSARY EXAMINATION ASSOCIATED WITH THE USE OF SUCH  
18 CONTRACEPTIVE DRUG OR DEVICE; AND

19 (3) MAY NOT IMPOSE A DIFFERENT COPAYMENT OR COINSURANCE FOR  
20 A CONTRACEPTIVE DRUG OR DEVICE THAN IS IMPOSED FOR ANY OTHER  
21 PRESCRIPTION.

22 **Article - Health - General**

23 19-706.

24 (i) The provisions of §§ 15-105, 15-112, 15-113, 15-804, [and], 15-812 AND  
25 15-826 of the Insurance Article shall apply to health maintenance organizations.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all  
27 policies and health benefit plans issued, delivered, or renewed in the State on or after  
28 October 1, 1998.

29 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 October 1, 1998.