

SENATE BILL 136

Unofficial Copy
C3
SB 781/97 - FIN

1998 Regular Session
8r0074

By: **Senator Bromwell**

Introduced and read first time: January 22, 1998

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Advisory Panel on Mandated Health Insurance Benefits**

3 FOR the purpose of establishing the Advisory Panel on Mandated Health Insurance
4 Benefits; specifying the membership and duties of the Advisory Panel; requiring
5 the Advisory Panel to conduct a certain review of all mandated health insurance
6 benefits; requiring the Advisory Panel to submit a certain report to certain
7 persons; providing for the construction of this Act; defining certain terms;
8 repealing certain provisions of law related to the establishment and duties of the
9 Interdepartmental Committee on Mandated Health Insurance Benefits; and
10 generally relating to establishing an Advisory Panel on Mandated Health
11 Insurance Benefits.

12 BY repealing

13 Article - Insurance

14 Section 15-1501 through 15-1507, inclusive, and the subtitle "Subtitle 15.

15 Interdepartmental Committee on Mandated Health Insurance Benefits"

16 Annotated Code of Maryland

17 (1997 Volume)

18 BY adding to

19 Article - Insurance

20 Section 15-1501 to be under the new subtitle "Subtitle 15. Advisory Panel on

21 Mandated Health Insurance Benefits"

22 Annotated Code of Maryland

23 (1997 Volume)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, That Section(s) 15-1501 through 15-1507, inclusive, and the subtitle
26 "Subtitle 15. Interdepartmental Committee on Mandated Health Insurance Benefits"
27 of Article - Insurance of the Annotated Code of Maryland be repealed.

28 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland

29 read as follows:

1 **Article - Insurance**

2 SUBTITLE 15. ADVISORY PANEL ON MANDATED HEALTH INSURANCE BENEFITS.

3 15-1501.

4 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
5 INDICATED.6 (2) "ADVISORY PANEL" MEANS THE ADVISORY PANEL ON MANDATED
7 HEALTH INSURANCE BENEFITS.8 (3) (I) "MANDATED HEALTH INSURANCE BENEFIT" MEANS A
9 LEGISLATIVE PROPOSAL OR A STATUTE THAT WOULD REQUIRE A PARTICULAR
10 HEALTH CARE SERVICE, BENEFIT, COVERAGE, OR REIMBURSEMENT FOR COVERED
11 HEALTH CARE SERVICES TO BE PROVIDED OR OFFERED IN A HEALTH BENEFIT PLAN
12 BY A CARRIER OR OTHER PERSON AUTHORIZED TO PROVIDE HEALTH BENEFIT
13 PLANS IN THE STATE.14 (II) "MANDATED HEALTH INSURANCE BENEFIT" INCLUDES A
15 LEGISLATIVE PROPOSAL OR A STATUTE THAT WOULD REQUIRE A HEALTH BENEFIT
16 PLAN THAT PROVIDES REIMBURSEMENT FOR A SERVICE TO PROVIDE
17 REIMBURSEMENT FOR THAT SERVICE WHEN PERFORMED BY ANY HEALTH CARE
18 PROVIDER WHO IS LICENSED UNDER THE HEALTH OCCUPATIONS ARTICLE AND
19 WHOSE SCOPE OF PRACTICE INCLUDES THAT SERVICE.20 (III) "MANDATED HEALTH INSURANCE BENEFIT", AS APPLICABLE
21 TO ALL CARRIERS, DOES NOT INCLUDE SERVICES ENUMERATED TO DESCRIBE A
22 HEALTH MAINTENANCE ORGANIZATION UNDER § 19-701(F)(2) OF THE HEALTH -
23 GENERAL ARTICLE.24 (B) THIS SECTION DOES NOT AFFECT THE ABILITY OF THE GENERAL
25 ASSEMBLY TO ENACT LEGISLATION ON MANDATED HEALTH INSURANCE BENEFITS.26 (C) THERE IS AN ADVISORY PANEL ON MANDATED HEALTH INSURANCE
27 BENEFITS.28 (D) THE PURPOSE OF THE ADVISORY PANEL IS TO PROVIDE MEMBERS OF THE
29 MARYLAND GENERAL ASSEMBLY WITH AN ASSESSMENT OF THE CLINICAL AND
30 ECONOMIC IMPACT OF EACH MANDATED BENEFIT ON CONSUMERS, HEALTH CARE
31 PROVIDERS, AND THIRD PARTY PAYORS.

32 (E) (1) THE ADVISORY PANEL SHALL CONSIST OF:

33 (I) TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY
34 THE PRESIDENT OF THE SENATE;35 (II) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY
36 THE SPEAKER OF THE HOUSE;

1 (III) TWO PHYSICIANS FROM THE JOHNS HOPKINS SCHOOL OF
2 MEDICINE, APPOINTED BY THE DEAN;

3 (IV) ONE HEALTH ECONOMIST FROM THE JOHNS HOPKINS SCHOOL
4 OF HYGIENE AND PUBLIC HEALTH, APPOINTED BY THE DEAN;

5 (V) TWO PHYSICIANS FROM THE UNIVERSITY OF MARYLAND
6 SCHOOL OF MEDICINE, APPOINTED BY THE DEAN;

7 (VI) ONE REPRESENTATIVE FROM COPPIN STATE COLLEGE SCHOOL
8 OF NURSING, APPOINTED BY THE DEAN;

9 (VII) SEVEN NONPHYSICIAN HEALTH CARE PROVIDERS TO WHOM
10 HEALTH BENEFIT PLANS ARE REQUIRED TO PROVIDE REIMBURSEMENT AS A
11 MANDATED HEALTH INSURANCE BENEFIT, APPOINTED BY THE GOVERNOR;

12 (VIII) ONE REPRESENTATIVE OF THE MEDICAL AND CHIRURGICAL
13 FACULTY OF MARYLAND;

14 (IX) ONE REPRESENTATIVE OF THE MARYLAND HOSPITAL
15 ASSOCIATION;

16 (X) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF
17 HEALTH MAINTENANCE ORGANIZATIONS;

18 (XI) ONE REPRESENTATIVE OF A NONPROFIT HEALTH SERVICE
19 PLAN;

20 (XII) ONE REPRESENTATIVE OF THE LEAGUE OF LIFE AND HEALTH
21 INSURERS;

22 (XIII) ONE REPRESENTATIVE OF THE HEALTH INSURANCE
23 ASSOCIATION OF AMERICA;

24 (XIV) THE SECRETARY OF HEALTH AND MENTAL HYGIENE OR THE
25 SECRETARY'S DESIGNEE; AND

26 (XV) THE MARYLAND INSURANCE COMMISSIONER OR THE
27 COMMISSIONER'S DESIGNEE.

28 (2) THE GOVERNOR SHALL SELECT A CHAIRMAN FROM AMONG THE
29 MEMBERS OF THE ADVISORY PANEL.

30 (3) THE ADVISORY PANEL SHALL MEET AT THE TIMES AND PLACES IT
31 DETERMINES.

32 (F) THE ADVISORY PANEL SHALL UNDERTAKE AN ONGOING AND SYSTEMATIC
33 REVIEW OF ALL CURRENT AND PROPOSED MANDATED HEALTH INSURANCE
34 BENEFITS IN THIS STATE FOR THE PURPOSE OF EVALUATING THEIR COST
35 EFFECTIVENESS AND MAKING RECOMMENDATIONS AS TO CONTINUING, MODIFYING,

1 OR REPEALING CURRENT MANDATES AND APPROVING OR DISAPPROVING PROPOSED
2 MANDATES.

3 (G) AS PART OF ITS REVIEW UNDER SUBSECTION (F) OF THIS SECTION, THE
4 ADVISORY PANEL SHALL:

5 (1) IF CONSIDERED APPROPRIATE BY THE ADVISORY PANEL, EVALUATE
6 RELEVANT MEDICAL LITERATURE;

7 (2) CONDUCT SURVEYS OF CONSUMERS, HEALTH CARE PROVIDERS, AND
8 THIRD PARTY PAYORS;

9 (3) PERFORM ECONOMIC ANALYSES OF HEALTH CLAIMS DATA; AND

10 (4) CONSIDER:

11 (I) THE COST OF THE MANDATED HEALTH INSURANCE BENEFIT;

12 (II) THE EFFECTIVENESS OF THE MANDATED HEALTH INSURANCE
13 BENEFIT ON IMPROVING HEALTH STATUS;

14 (III) THE PERCENTAGE OF THE POPULATION UTILIZING THE
15 MANDATED HEALTH INSURANCE BENEFIT; AND

16 (IV) ANY OTHER INFORMATION THE ADVISORY PANEL CONSIDERS
17 APPROPRIATE.

18 (H) (1) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND THE
19 ADMINISTRATION SHALL PROVIDE STAFF SUPPORT TO THE ADVISORY PANEL.

20 (2) SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, THE
21 ADVISORY PANEL MAY CONTRACT FOR ACTUARIAL SERVICES AND OTHER
22 PROFESSIONAL SERVICES TO CARRY OUT THE PROVISIONS OF THIS SECTION.

23 (I) ON OR BEFORE DECEMBER 1, 1999, AND EACH DECEMBER 1 THEREAFTER,
24 SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE ADVISORY PANEL
25 SHALL SUBMIT A REPORT ON ITS FINDINGS, INCLUDING ANY RECOMMENDATIONS,
26 TO THE PRESIDENT OF THE SENATE OF MARYLAND, THE SPEAKER OF THE
27 MARYLAND HOUSE OF DELEGATES, AND THE RESPECTIVE CHAIRMEN OF THE
28 SENATE FINANCE COMMITTEE, THE HOUSE ECONOMIC MATTERS COMMITTEE, AND
29 THE HOUSE ENVIRONMENTAL MATTERS COMMITTEE.

30 SECTION 3. AND BE IT FURTHER ENACTED, That the Advisory Panel on
31 Mandated Health Insurance Benefits may make reasonable requests on carriers to
32 submit data on the cost of a mandated health insurance benefit, utilization of a
33 mandated health insurance benefit, and any other information the Advisory Panel
34 considers necessary to carry out the provisions of this Act.

35 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 July 1, 1998.

