

SENATE BILL 335

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1998 Regular Session
8r1836
CF 8r0423

By: **Senators Dorman, Hollinger, Van Hollen, Teitelbaum, Sfikas, Forehand,
Pinsky, and Kelley**

Introduced and read first time: February 5, 1998

Assigned to: Finance

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:

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

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

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

7 (B) AN ENTITY SUBJECT TO THIS SECTION:

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

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

16 (3) MAY NOT IMPOSE A DIFFERENT COPAYMENT OR COINSURANCE FOR
17 A CONTRACEPTIVE DRUG OR DEVICE THAN IS IMPOSED FOR ANY OTHER
18 PRESCRIPTION.

19 **Article - Health - General**

20 19-706.

21 (i) The provisions of §§ 15-105, 15-112, 15-113, 15-804, [and], 15-812 AND
22 15-826 of the Insurance Article shall apply to health maintenance organizations.

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

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