

HOUSE BILL 813

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1999 Regular Session
9r1509

By: **Delegates Barve, Kagan, Goldwater, Hurson, Petzold, Pendergrass,
Turner, Krysiak, Moe, Frush, McHale, Hixson, Menes, Clagett, Healey,
Morhaim, Vallario, Palumbo, Fulton, Nathan-Pulliam, and Donoghue**

Introduced and read first time: February 12, 1999

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Health Benefit Plans - Smoking Cessation Coverage**

3 FOR the purpose of requiring certain insurers, nonprofit health service plans, and
4 health maintenance organizations to provide coverage for certain treatment and
5 assistance relating to an insured's or enrollee's participation in a smoking
6 cessation program; providing for the application of this Act; and generally
7 relating to health benefit plans and smoking cessation.

8 BY adding to
9 Article - Health - General
10 Section 19-706(ff)
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 1998 Supplement)

13 BY adding to
14 Article - Insurance
15 Section 15-829
16 Annotated Code of Maryland
17 (1997 Volume and 1998 Supplement)

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

20 **Article - Health - General**

21 19-706.

22 (FF) THE PROVISIONS OF § 15-829 OF THE INSURANCE ARTICLE SHALL APPLY
23 TO HEALTH MAINTENANCE ORGANIZATIONS.

1

Article - Insurance

2 15-829.

3 (A) THIS SECTION APPLIES TO:

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

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

11 (B) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR
12 ANY MEDICALLY APPROPRIATE TREATMENT OR ASSISTANCE, INCLUDING DRUGS,
13 THAT THE INSURED'S OR ENROLLEE'S TREATING PHYSICIAN OR OTHER
14 APPROPRIATE LICENSED HEALTH CARE PROVIDER CERTIFIES IS NECESSARY FOR
15 THE INSURED'S OR ENROLLEE'S PARTICIPATION IN A SMOKING CESSATION PROGRAM
16 OR TREATMENT PLAN.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
18 new policies or health benefit plans issued or delivered in the State on or after
19 October 1, 1999 and to the renewal of all policies or health benefit plans in effect
20 before October 1, 1999, except that any policy or health benefit plan in effect before
21 October 1, 1999 shall comply with the provisions of this Act no later than October 1,
22 2000.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 1999.