
By: **Senator Collins**
Introduced and read first time: February 5, 1999
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Benefit Plans - Adoption - Pregnancy-Related Services**

3 FOR the purpose of requiring certain insurers, nonprofit health service plans, and
4 health maintenance organizations to provide coverage for certain
5 pregnancy-related services for the birth mother of a child if the adoptive mother
6 is covered under a policy or contract for pregnancy-related services and the
7 adoptive mother is required, under the terms of a written adoption agreement,
8 to pay for the cost of pregnancy-related services provided to the birth mother;
9 providing that this requirement does not apply in certain circumstances;
10 providing for the application of this Act; defining certain terms; and generally
11 relating to adoption, insurers, nonprofit health service plans, and health
12 maintenance organizations.

13 BY adding to
14 Article - Health - General
15 Section 19-706(ff)
16 Annotated Code of Maryland
17 (1996 Replacement Volume and 1998 Supplement)

18 BY adding to
19 Article - Insurance
20 Section 15-829
21 Annotated Code of Maryland
22 (1997 Volume and 1998 Supplement)

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

25 **Article - Health - General**

26 19-706.

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

1 **Article - Insurance**

2 15-829.

3 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
4 INDICATED.

5 (2) "ADOPTIVE MOTHER" MEANS A WOMAN WHO IS THE MOTHER OF A
6 CHILD THROUGH ADOPTION.

7 (3) "BIRTH MOTHER" MEANS A WOMAN WHO IS THE NATURAL MOTHER
8 OF A CHILD.

9 (4) "PREGNANCY-RELATED SERVICES" MEANS HOSPITAL, MEDICAL, OR
10 SURGICAL SERVICES RELATING TO PREGNANCY AND CHILDBIRTH.

11 (B) THIS SECTION APPLIES TO:

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

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

19 (C) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR
20 THE COST OF PREGNANCY-RELATED SERVICES FOR A BIRTH MOTHER IF:

21 (1) THE ADOPTIVE MOTHER IS COVERED UNDER A POLICY OR
22 CONTRACT WITH THE ENTITY FOR PREGNANCY-RELATED SERVICES; AND

23 (2) THE ADOPTIVE MOTHER IS REQUIRED, UNDER THE TERMS OF A
24 WRITTEN ADOPTION AGREEMENT, TO PAY FOR THE COST OF PREGNANCY-RELATED
25 SERVICES PROVIDED TO THE BIRTH MOTHER.

26 (D) THIS SECTION DOES NOT APPLY IF THE BIRTH MOTHER REFUSES TO
27 RELINQUISH PARENTAL RIGHTS TO THE CHILD AS REQUIRED BY THE ADOPTION
28 AGREEMENT.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
30 new policies, contracts, or health benefit plans issued or delivered in the State on or
31 after July 1, 1999 and to the renewal of all policies, contracts, or health benefit plans
32 in effect before July 1, 1999, except that any policy, contract, or health benefit plan in
33 effect before July 1, 1999 shall comply with the provisions of this Act no later than
34 July 1, 2000.

35 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 July 1, 1999.

