

SENATE BILL 618

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1999 Regular Session
9r2109
CF 9r1102

By: **Senator Bromwell**

Introduced and read first time: February 5, 1999

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 9, 1999

CHAPTER _____

1 AN ACT concerning

2 **Health Insurance - Access to the 911 Emergency Telephone System**

3 FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and
4 health maintenance organizations from establishing or promoting a certain
5 emergency system in competition with or substitution of the 911 emergency
6 ~~telephone~~ system or certain other emergency medical services systems;
7 authorizing certain insurers, nonprofit health service plans, and health
8 maintenance organizations to use transportation other than the 911 system
9 under certain circumstances; prohibiting certain insurers, nonprofit health
10 service plans, and health maintenance organizations from requiring insureds
11 and enrollees to obtain prior authorization before accessing certain emergency
12 medical services systems under certain circumstances; prohibiting certain
13 insurers, nonprofit health service plans, and health maintenance organizations
14 from using false or misleading language in certain materials provided to
15 insureds and enrollees to discourage or prohibit access to the 911 system;
16 defining a certain term; and generally relating to access to the 911 emergency
17 ~~telephone~~ system by insureds and enrollees.

18 BY adding to

19 Article - Insurance

20 Section 15-126

21 Annotated Code of Maryland

22 (1997 Volume and 1998 Supplement)

23 BY adding to

24 Article - Health - General

25 Section 19-706(ff)

1 Annotated Code of Maryland
2 (1996 Replacement Volume and 1998 Supplement)

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

5 **Article - Insurance**

6 15-126.

7 (A) IN THIS SECTION, "EMERGENCY SERVICES" HAS THE MEANING STATED IN
8 § 19-701(D) OF THE HEALTH - GENERAL ARTICLE.

9 ~~(A)~~ (B) THIS SECTION APPLIES TO:

10 (1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT PROVIDE
11 HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS UNDER
12 HEALTH INSURANCE POLICIES THAT ARE ISSUED OR DELIVERED IN THE STATE; AND

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

16 ~~(B) AN ENTITY SUBJECT TO THIS SECTION MAY NOT IN ANY WAY PENALIZE OR~~
17 ~~DISCRIMINATE AGAINST AN INSURED OR ENROLLEE FOR ACCESSING THE 911~~
18 ~~SYSTEM TO OBTAIN EMERGENCY AMBULANCE SERVICES.~~

19 (C) (1) AN ENTITY SUBJECT TO THIS SECTION MAY NOT ESTABLISH OR
20 PROMOTE AN EMERGENCY MEDICAL RESPONSE AND TRANSPORTATION SYSTEM
21 THAT ENCOURAGES OR DIRECTS ACCESS BY AN INSURED OR ENROLLEE IN
22 COMPETITION WITH OR IN SUBSTITUTION OF THE MARYLAND EMERGENCY MEDICAL
23 SERVICES SYSTEM (911) OR OTHER STATE, COUNTY, OR LOCAL GOVERNMENT
24 EMERGENCY MEDICAL SERVICES SYSTEM.

25 (2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, AN
26 ENTITY MAY UTILIZE, FOR SERVICES THAT ARE NOT EMERGENCY SERVICES,
27 TRANSPORTATION OUTSIDE THE 911 OR OTHER GOVERNMENT EMERGENCY MEDICAL
28 SERVICES SYSTEMS.

29 (D) AN ENTITY SUBJECT TO THIS SECTION MAY NOT REQUIRE AN INSURED OR
30 ENROLLEE TO OBTAIN PRIOR AUTHORIZATION BEFORE ACCESSING THE 911 SYSTEM
31 OR OTHER STATE, COUNTY, OR LOCAL GOVERNMENT EMERGENCY MEDICAL
32 SERVICES SYSTEM FOR EMERGENCY SERVICES.

33 ~~(C)~~ (E) AN ENTITY SUBJECT TO THIS SECTION MAY NOT USE FALSE OR
34 MISLEADING LANGUAGE IN ITS ENROLLMENT SALES MATERIALS OR IN ANY OTHER
35 MATERIALS PROVIDED TO INSUREDS OR ENROLLEES TO DISCOURAGE OR PROHIBIT
36 INSUREDS OR ENROLLEES FROM ACCESSING THE 911 SYSTEM FOR EMERGENCY
37 ~~AMBULANCE SERVICES.~~

1

Article - Health - General

2 19-706.

3 (FF) THE PROVISIONS OF § 15-126 OF THE INSURANCE ARTICLE APPLY TO
4 HEALTH MAINTENANCE ORGANIZATIONS.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 1999.