

---

By: **Delegate Barve**  
Introduced and read first time: February 11, 2000  
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(nn)  
11 Annotated Code of Maryland  
12 (1996 Replacement Volume and 1999 Supplement)

13 BY adding to  
14 Article - Insurance  
15 Section 15-835  
16 Annotated Code of Maryland  
17 (1997 Volume and 1999 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 (NN) THE PROVISIONS OF § 15-835 OF THE INSURANCE ARTICLE SHALL APPLY  
23 TO HEALTH MAINTENANCE ORGANIZATIONS.

24 **Article - Insurance**

25 15-835.

26 (A) THIS SECTION APPLIES TO:

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

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

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

14     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all  
15 new policies or health benefit plans issued or delivered in the State on or after  
16 October 1, 2000 and to the renewal of all policies or health benefit plans in effect  
17 before October 1, 2000, except that any policy or health benefit plan in effect before  
18 October 1, 2000 shall comply with the provisions of this Act no later than October 1,  
19 2001.

20     SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 2000.