

SENATE BILL 518

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HB 813/99 - ECM

2000 Regular Session  
0lr1551

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By: **Senators Van Hollen, Dorman, Pinsky, McFadden, Teitelbaum, Kelley,  
Ruben, Frosh, Lawlah, DeGrange, Exum, and Green**

Introduced and read first time: February 4, 2000

Assigned to: Finance

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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, health  
4 maintenance organizations, and managed care organizations to provide  
5 coverage for certain treatment and assistance relating to participation in  
6 smoking cessation programs or treatment plans under certain circumstances;  
7 limiting certain coverage under this Act; providing for the application of this Act;  
8 defining a certain term; and generally relating to coverage under health benefit  
9 plans for smoking cessation programs or treatment plans.

10 BY adding to

11 Article - Insurance  
12 Section 15-835  
13 Annotated Code of Maryland  
14 (1997 Volume and 1999 Supplement)

15 BY adding to

16 Article - Health - General  
17 Section 19-706(nn)  
18 Annotated Code of Maryland  
19 (1996 Replacement Volume and 1999 Supplement)

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

22 **Article - Insurance**

23 15-835.

24 (A) IN THIS SECTION, A "QUIT ATTEMPT" MEANS A SMOKING CESSATION  
25 PROGRAM THAT INCLUDES THE FOLLOWING:

26 (1) TWO OFFICE VISITS WITH THE PATIENTS' TREATING PHYSICIAN OR  
27 OTHER APPROPRIATE LICENSED HEALTH CARE PROVIDER;

1 (2) ONE FOLLOW-UP PHONE CALL FROM THE TREATING PHYSICIAN,  
2 APPROPRIATE LICENSED HEALTH CARE PROVIDER, OR AN APPROPRIATE DESIGNEE;

3 (3) A 2-MONTH SUPPLY OF DRUGS APPROVED FOR SMOKING CESSATION  
4 PURPOSES BY THE FOOD AND DRUG ADMINISTRATION AS DEEMED NECESSARY BY  
5 THE TREATING PHYSICIAN OR OTHER APPROPRIATE LICENSED HEALTH CARE  
6 PROVIDER; AND

7 (4) 2 MONTHS OF COUNSELING OR SMOKING CESSATION CLASSES AS  
8 DEEMED NECESSARY BY THE TREATING PHYSICIAN OR OTHER APPROPRIATE  
9 LICENSED HEALTH CARE PROVIDER.

10 (B) THIS SECTION APPLIES TO:

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

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

18 (3) MANAGED CARE ORGANIZATIONS, AS DEFINED IN TITLE 15,  
19 SUBTITLE 1 OF THE HEALTH - GENERAL ARTICLE.

20 (C) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR UP  
21 TO THREE QUIT ATTEMPTS PER ENROLLEE.

22 **Article - Health - General**

23 19-706.

24 (NN) THE REQUIREMENTS OF § 15-835 OF THE INSURANCE ARTICLE APPLY TO  
25 HEALTH MAINTENANCE ORGANIZATIONS.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all  
27 policies, contracts, and health benefits plans issued, delivered, or renewed in the  
28 State on or after October 1, 2000. Any policy, contract, or health benefit plan in effect  
29 before October 1, 2000 shall comply with the provisions of this Act no later than  
30 October 1, 2001.

31 SECTION 3. AND BE IT FURTHER ENACTED, That the requirements of this  
32 Act shall be considered as part of the Department of Health and Mental Hygiene's  
33 review of managed care organizations' payment schedules and payments to managed  
34 care organizations shall be adjusted to reflect any additional costs incurred by the  
35 requirements of this Act.

36 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
37 October 1, 2000.

