

SENATE BILL 615

Unofficial Copy
C3

2001 Regular Session
(11r2186)

ENROLLED BILL
-- Finance/Economic Matters --

Introduced by **Senators Hollinger, Collins, Conway, Dorman, Exum, Ferguson, Haines, Kelley, Lawlah, Pinsky, and Teitelbaum** ~~Teitelbaum, Bromwell, Astle, DeGrange, Della, Hafer, Hooper, and Roesser~~

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Health Insurance - Hearing Aids - Coverage for Children**

3 FOR the purpose of requiring certain insurers, nonprofit health service plans, and
4 health maintenance organizations to provide coverage for hearing aids for minor
5 children under certain circumstances; ~~requiring certain notice to insureds and~~
6 ~~providers in certain routine communications; prohibiting an entity from~~
7 ~~penalizing an insured or provider for additional payments made; authorizing a~~
8 certain limitation on the benefit payable under this Act; authorizing an insured
9 or enrolled individual to choose a hearing aid that is priced higher than a certain
10 benefit amount and to pay the difference between the price of the hearing aid
11 and the benefit amount, without financial or contractual penalty to the provider
12 of the hearing aid; defining a certain term; providing for the application of this
13 Act; and generally relating to requiring health insurance coverage for hearing
14 aids for children.

15 BY adding to

1 Article - Insurance
 2 Section 15-837
 3 Annotated Code of Maryland
 4 (1997 Volume and 2000 Supplement)

5 BY adding to
 6 Article - Health - General
 7 Section 19-706(rr)
 8 Annotated Code of Maryland
 9 (2000 Replacement Volume)

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

12 **Article - Insurance**

13 15-837.

14 (A) IN THIS SECTION, "HEARING AID" MEANS A DEVICE THAT:

15 (1) IS OF A DESIGN AND CIRCUITRY TO OPTIMIZE AUDIBILITY AND
 16 LISTENING SKILLS IN THE ENVIRONMENT COMMONLY EXPERIENCED BY CHILDREN;
 17 AND

18 (2) ~~MEETS OR EXCEEDS THE FOLLOWING STANDARDS—MULTIPLE~~
 19 ~~BAND, WIDE DYNAMIC RANGE COMPRESSION, AND DIRECT AUDIO INPUT~~
 20 ~~COMPATIBILITY NONDISPOSABLE, NONPROGRAMMABLE, OR PROGRAMMABLE~~
 21 ~~SINGLE MEMORY ANALOG HEARING AID IS NONDISPOSABLE.~~

22 (B) THIS SECTION APPLIES TO:

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

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

30 (C) (1) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE
 31 FOR HEARING AIDS FOR A MINOR CHILD WHO IS COVERED ~~THROUGH AN INSURED OR~~
 32 ~~ENROLLED PARENT OF THE CHILD UNDER A POLICY OR CONTRACT IF THE HEARING~~
 33 ~~AID IS AIDS ARE~~ PRESCRIBED, FITTED, AND DISPENSED BY A LICENSED
 34 AUDIOLOGIST ~~PURSUANT TO FEDERAL LAW.~~

35 (2) (I) AN ENTITY SUBJECT TO THIS SECTION ~~SHALL PROVIDE~~
 36 ~~COVERAGE THAT INCLUDES PAYMENT FOR THE COST OF ONE HEARING AID FOR~~

~~1 EACH HEARING IMPAIRED EAR IN AN AMOUNT OF NOT MORE THAN \$1,400 PER
2 HEARING AID EVERY 36 MONTHS MAY LIMIT THE BENEFIT PAYABLE UNDER
3 PARAGRAPH (1) OF THIS SUBSECTION TO \$1,400 PER HEARING AID FOR EACH
4 HEARING-IMPAIRED EAR EVERY 36 MONTHS.~~

~~5 (II) AN ENTITY THAT PAYS THE DIFFERENCE IN COST ABOVE THE
6 \$1,400 LIMIT SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL PAY THE
7 DIFFERENCE WITHOUT FINANCIAL OR CONTRACTUAL PENALTY TO THE INSURED OR
8 THE PROVIDER OF THE HEARING AID. AN INSURED OR ENROLLED INDIVIDUAL MAY
9 CHOOSE A HEARING AID THAT IS PRICED HIGHER THAN THE BENEFIT PAYABLE
10 UNDER THIS SUBSECTION AND MAY PAY THE DIFFERENCE BETWEEN THE PRICE OF
11 THE HEARING AID AND THE BENEFIT PAYABLE UNDER THIS SUBSECTION, WITHOUT
12 FINANCIAL OR CONTRACTUAL PENALTY TO THE PROVIDER OF THE HEARING AID.~~

~~13 (D) THIS SECTION DOES NOT PROHIBIT AN ENTITY SUBJECT TO THIS SECTION
14 FROM PROVIDING COVERAGES THAT ARE GREATER THAN OR MORE FAVORABLE TO A
15 CHILD OF AN INSURED OR ENROLLEE THAN THE COVERAGE REQUIRED UNDER THIS
16 SECTION.~~

~~17 (E) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE NOTICE OF THIS
18 BENEFIT IN ROUTINE COMMUNICATIONS TO ITS MEMBERS AND PROVIDERS.~~

19 **Article - Health - General**

20 19-706.

~~21 (RR) THE REQUIREMENTS OF § 15-837 OF THE INSURANCE ARTICLE APPLY TO
22 HEALTH MAINTENANCE ORGANIZATIONS.~~

~~23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
24 policies, contracts, and health benefit plans issued, delivered, or renewed in the State
25 on or after October 1, 2001. Any policy, contract, or health benefit plan in effect before
26 October 1, 2001, shall comply with the provisions of this Act no later than October 1,
27 2002.~~

~~28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2001.~~