

SENATE BILL 615

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2001 Regular Session
1r2186
CF 1r1245

By: **Senators Hollinger, Collins, Conway, Dorman, Exum, Ferguson, Haines,
Kelley, Lawlah, Pinsky, and Teitelbaum**

Introduced and read first time: February 2, 2001

Assigned to: Finance

A BILL ENTITLED

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; defining a
8 certain term; providing for the application of this Act; and generally relating to
9 requiring health insurance coverage for hearing aids for children.

10 BY adding to

11 Article - Insurance
12 Section 15-837
13 Annotated Code of Maryland
14 (1997 Volume and 2000 Supplement)

15 BY adding to

16 Article - Health - General
17 Section 19-706(rr)
18 Annotated Code of Maryland
19 (2000 Replacement Volume)

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 15-837.

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

25 (1) IS OF A DESIGN AND CIRCUITRY TO OPTIMIZE AUDIBILITY AND
26 LISTENING SKILLS IN THE ENVIRONMENT COMMONLY EXPERIENCED BY CHILDREN;
27 AND

1 (2) MEETS OR EXCEEDS THE FOLLOWING STANDARDS -- MULTIPLE
2 BAND, WIDE DYNAMIC RANGE COMPRESSION, AND DIRECT AUDIO INPUT
3 COMPATIBILITY.

4 (B) THIS SECTION APPLIES TO:

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

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

12 (C) (1) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE
13 FOR HEARING AIDS FOR A MINOR CHILD WHO IS COVERED THROUGH AN INSURED OR
14 ENROLLED PARENT OF THE CHILD IF THE HEARING AID IS PRESCRIBED, FITTED, AND
15 DISPENSED BY A LICENSED AUDIOLOGIST PURSUANT TO FEDERAL LAW.

16 (2) (I) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE
17 COVERAGE THAT INCLUDES PAYMENT FOR THE COST OF ONE HEARING AID FOR
18 EACH HEARING-IMPAIRED EAR IN AN AMOUNT OF NOT MORE THAN \$1,400 PER
19 HEARING AID EVERY 36 MONTHS.

20 (II) AN ENTITY THAT PAYS THE DIFFERENCE IN COST ABOVE THE
21 \$1,400 LIMIT SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL PAY THE
22 DIFFERENCE WITHOUT FINANCIAL OR CONTRACTUAL PENALTY TO THE INSURED OR
23 THE PROVIDER OF THE HEARING AID.

24 (D) THIS SECTION DOES NOT PROHIBIT AN ENTITY SUBJECT TO THIS SECTION
25 FROM PROVIDING COVERAGES THAT ARE GREATER THAN OR MORE FAVORABLE TO A
26 CHILD OF AN INSURED OR ENROLLEE THAN THE COVERAGE REQUIRED UNDER THIS
27 SECTION.

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

30 **Article - Health - General**

31 19-706.

32 (RR) THE REQUIREMENTS OF § 15-837 OF THE INSURANCE ARTICLE APPLY TO
33 HEALTH MAINTENANCE ORGANIZATIONS.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
35 policies, contracts, and health benefit plans issued, delivered, or renewed in the State
36 on or after October 1, 2001. Any policy, contract, or health benefit plan in effect before
37 October 1, 2001, shall comply with the provisions of this Act no later than October 1,
38 2002.

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