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By: **Delegate Hubbard**

Introduced and read first time: February 10, 2003

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Health Insurance - Reimbursement for Provider Services - Professional**  
3                                   **Counselors and Therapists**

4 FOR the purpose of repealing a provision of law relating to the construction of certain  
5 provisions of the Health Occupations Article and reimbursement for certain  
6 services of professional counselors or marriage and family therapists; requiring  
7 reimbursement under certain policies, contracts, or certificates of health  
8 insurance for services of certain professional counselors, certain marriage and  
9 family therapists, or certain alcohol and drug counselors under certain  
10 circumstances; and generally relating to required reimbursement for services of  
11 professional counselors and therapists under health insurance.

12 BY repealing  
13 Article - Insurance  
14 Section 15-704  
15 Annotated Code of Maryland  
16 (2002 Replacement Volume and 2002 Supplement)

17 BY adding to  
18 Article - Insurance  
19 Section 15-704  
20 Annotated Code of Maryland  
21 (2002 Replacement Volume and 2002 Supplement)

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

24                                   **Article - Insurance**

25 [15-704.

26 Notwithstanding § 15-701(a) of this subtitle, unless a policy, contract, or  
27 certificate described in § 15-701(a) of this subtitle expressly provides for  
28 reimbursement for a service that is within the lawful scope of practice of a

1 professional counselor or professional counselor-marriage and family therapist  
2 certified under the Health Occupations Article, the provisions of the Health  
3 Occupations Article that govern the certification and regulation of professional  
4 counselors and professional counselor-marriage and family therapists may not be  
5 construed to entitle the insured or any other person covered by the policy, contract, or  
6 certificate to reimbursement for the service.]

7 15-704.

8 (A) THIS SECTION APPLIES TO EACH INDIVIDUAL, GROUP, OR BLANKET  
9 HEALTH INSURANCE POLICY, CONTRACT, OR CERTIFICATE OF AN INSURER OR  
10 NONPROFIT HEALTH SERVICE PLAN THAT:

11 (1) (I) IS DELIVERED OR ISSUED FOR DELIVERY IN THE STATE;

12 (II) IS ISSUED TO A GROUP THAT IS INCORPORATED OR HAS A MAIN  
13 OFFICE IN THE STATE; OR

14 (III) COVERS INDIVIDUALS WHO RESIDE OR WORK IN THE STATE;  
15 AND

16 (2) IS ISSUED, RENEWED, AMENDED, OR REISSUED ON OR AFTER  
17 OCTOBER 1, 2003.

18 (B) IF A POLICY, CONTRACT, OR CERTIFICATE SUBJECT TO THIS SECTION  
19 PROVIDES FOR REIMBURSEMENT FOR A SERVICE THAT IS WITHIN THE LAWFUL  
20 SCOPE OF PRACTICE OF A LICENSED CLINICAL PROFESSIONAL COUNSELOR, A  
21 LICENSED CLINICAL MARRIAGE AND FAMILY THERAPIST, OR A LICENSED CLINICAL  
22 ALCOHOL AND DRUG COUNSELOR, THE INSURED OR ANY OTHER PERSON COVERED  
23 BY THE POLICY OR CERTIFICATE IS ENTITLED TO REIMBURSEMENT FOR THE  
24 SERVICE.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2003.