

HOUSE BILL 411

Unofficial Copy
C3

2004 Regular Session
4r2025
CF 4r1291

By: Delegates Donoghue, Benson, Bromwell, Costa, Goldwater, and Smigiel
Smigiel, Boteler, Boutin, Elliott, Hammen, Hurson, Kach, Mandel,
McDonough, Morhaim, Murray, Nathan-Pulliam, Oaks, Pendergrass,
Rosenberg, Rudolph, V. Turner, and Weldon

Introduced and read first time: January 29, 2004
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 24, 2004

CHAPTER _____

1 AN ACT concerning

2 **Health Insurance - Required Reimbursement - Podiatrists**

3 FOR the purpose of providing that, if a certain health insurance policy or contract
4 provides for reimbursement for a service that is within the lawful scope of
5 practice of a licensed podiatrist, the insured or any other person covered by or
6 entitled to reimbursement under the health insurance policy or contract is
7 entitled to the same amount of reimbursement for the service regardless of
8 whether the service is performed by a physician or a licensed podiatrist;
9 ~~requiring the Maryland Insurance Administration to report to the Governor and~~
10 ~~General Assembly on certain effects of this Act by a certain date;~~ providing for
11 the application of this Act; and generally relating to reimbursement for services
12 provided by podiatrists under health insurance policies and contracts.

13 BY repealing and reenacting, with amendments,
14 Article - Insurance
15 Section 15-713
16 Annotated Code of Maryland
17 (2002 Replacement Volume and 2003 Supplement)

18 BY adding to
19 Article - Health - General
20 Section 19-706(zz)
21 Annotated Code of Maryland
22 (2000 Replacement Volume and 2003 Supplement)

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

3 **Article - Insurance**

4 15-713.

5 (A) THIS SECTION APPLIES TO INDIVIDUAL, GROUP, OR BLANKET HEALTH
6 INSURANCE POLICIES AND CONTRACTS DELIVERED OR ISSUED FOR DELIVERY IN
7 THE STATE BY INSURERS, NONPROFIT HEALTH SERVICE PLANS, AND HEALTH
8 MAINTENANCE ORGANIZATIONS.

9 (B) Notwithstanding any other provision of an individual, group, or blanket
10 health insurance policy OR CONTRACT SUBJECT TO THIS SECTION, if the policy OR
11 CONTRACT provides for reimbursement for a service that is within the lawful scope of
12 practice of a licensed podiatrist, the insured or any other person covered by OR
13 ENTITLED TO REIMBURSEMENT UNDER the policy OR CONTRACT is entitled to THE
14 SAME AMOUNT OF reimbursement for the service regardless of whether the service is
15 performed by a physician or licensed podiatrist.

16 (C) THIS SECTION DOES NOT PROHIBIT, AND MAY NOT BE CONSTRUED AS
17 PROHIBITING, THE DETERMINATION OF REIMBURSEMENT BASED ON THE
18 GEOGRAPHIC LOCATION OF THE DELIVERY OF SERVICE, THE PREEMINENT
19 QUALIFICATIONS OF A PHYSICIAN OR PODIATRIST, OR THE NEED TO PROVIDE
20 SERVICES IN AN UNDERSERVED AREA OF THE STATE.

21 **Article - Health - General**

22 19-706.

23 (ZZ) THE PROVISIONS OF § 15-713 OF THE INSURANCE ARTICLE APPLY TO
24 HEALTH MAINTENANCE ORGANIZATIONS.

25 ~~SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Insurance~~
26 ~~Administration shall report to the Governor and, in accordance with § 2-1246 of the~~
27 ~~State Government Article, to the General Assembly on or before October 1, 2006 on~~
28 ~~the effect of this Act, including fees paid to podiatrists and physicians, health~~
29 ~~insurance premiums, podiatrist and physician participation in third party payer~~
30 ~~programs, and any recommendations for legislative or regulatory action.~~

31 SECTION ~~3.~~ 2. AND BE IT FURTHER ENACTED, That this Act applies to all
32 policies and contracts subject to this Act that are delivered, issued for delivery, or
33 renewed in the State on or after October 1, 2004.

34 SECTION ~~4.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
35 effect October 1, 2004.

