BY: Health and Government Operations Committee

<u>AMENDMENTS TO HOUSE BILL NO. 1328</u>
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Authority of"; in the same line, after "Plan" insert "<u>- Premiums and Information from Carriers</u>"; strike beginning with "offer" in line 4 down through "to" in line 6; strike beginning with "geography" in line 6 down through "and" in line 7 and substitute "<u>the</u>"; strike beginning with "authorizing" in line 7 down through "conditions;" in line 8; and in line 11, after "Plan;" insert "<u>prohibiting certain provisions of this Act from taking effect until the receipt of a certain determination; requiring the Governor to request a certain determination; requiring the Executive Director of the Maryland Health Insurance Plan to provide a certain notice;</u>".

AMENDMENT NO. 2

On page 1, strike in their entirety lines 23 through 26, inclusive; in line 27, strike the brackets; in the same line, strike "(4)"; and in the same line, strike "A".

AMENDMENT NO. 3

On page 2, strike in their entirety lines 14 through 19, inclusive; in line 20, strike "(5)" and substitute "<u>(4)</u>"; in line 21, strike "BENEFIT PACKAGE AND THE"; in line 22, strike "BENEFIT PACKAGE OR"; in the same line, after "BENEFIT" insert "<u>PACKAGE</u>"; and strike lines 23 and 24 in their entirety.

On page 3, in line 22, strike "(I)"; in line 23, after "provide" insert "<u>:</u>

<u>(I)</u>";

in line 26, after "article" insert "<u>; AND</u>

<u>(II)</u>   <u>THE MARYLAND HEALTH INSURANCE PLAN WITH:</u>

(Over)

<u>1.</u>   <u>THE NAME AND ADDRESS OF THE INDIVIDUAL WHO WAS DENIED COVERAGE; AND</u>

<u>2.</u>   <u>IF THE INDIVIDUAL APPLIED FOR COVERAGE THROUGH AN INSURANCE PRODUCER, THE NAME AND, IF AVAILABLE, THE ADDRESS OF INSURANCE PRODUCER</u>";

in line 27, strike the brackets; in the same line, strike "(II)"; in the same line, strike "A notice issued" and substitute "<u>THE INFORMATION PROVIDED</u>"; and strike in their entirety lines 29 through 32, inclusive.

<u>AMENDMENT NO. 4</u>
On page 3, after line 32, insert:

"<u>SECTION 2. AND BE IT FURTHER ENACTED, That § 15-1303(c)(1)(ii) of the Insurance Article, as enacted by Section 1 of this Act, may not take effect until the receipt of an exception determination from the Secretary of the U.S. Department of Health and Human Services from § 160.203 of the Health Insurance Portability and Accountability Act (HIPAA) privacy regulations that would allow carriers to provide the information specified in § 15-1303(c)(1)(ii) to the Maryland Health Insurance Plan. The Governor shall seek the exception determination under § 160.204 of the HIPAA privacy regulations. The Governor shall notify the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401 no later than 10 days after receiving a response to the request for the exception determination from the Secretary of the U.S. Department of Health and Human Services. If the Secretary approves the exception determination, § 15-1303(c)(1)(ii) of the Insurance Article, as enacted by Section 1 of this Act, shall take effect 5 days after notice of the approval is received by the Department. If the Secretary denies the exception determination, § 15-1303(c)(1)(ii) of the Insurance Article, as enacted by Section 1 of this Act, shall be null and void with no further action required by the General Assembly.</u>";

in line 33, strike "2." and substitute "<u>3.</u>"; and in the same line, after "That" insert "<u>, except as provided in Section 2 of this Act,</u>".