
By: **Senators Kelley, Astle, Britt, Colburn, Conway, Exum, Forehand,
Gladden, Grosfeld, Hollinger, Hughes, Jones, Klausmeier, Kramer,
Middleton, and Ruben**

Introduced and read first time: February 4, 2005

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance - Coverage for Psychological and Neuropsychological**
3 **Testing**

4 FOR the purpose of providing that health insurance coverage is not discriminatory if,
5 with respect to outpatient coverage for services provided to treat mental
6 illnesses, emotional disorders, drug abuse, or alcohol abuse, benefits include
7 psychological and neuropsychological testing for diagnostic purposes; and
8 generally relating to health insurance coverage for psychological and
9 neuropsychological testing for diagnostic purposes.

10 BY repealing and reenacting, without amendments,
11 Article - Insurance
12 Section 15-802(c)
13 Annotated Code of Maryland
14 (2002 Replacement Volume and 2004 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article - Insurance
17 Section 15-802(d)
18 Annotated Code of Maryland
19 (2002 Replacement Volume and 2004 Supplement)

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 15-802.

24 (c) A policy or contract subject to this section may not discriminate against an
25 individual with a mental illness, emotional disorder, drug abuse disorder, or alcohol
26 abuse disorder by failing to provide benefits for the diagnosis and treatment of these

1 illnesses under the same terms and conditions that apply under the policy or contract
2 for the diagnosis and treatment of physical illnesses.

3 (d) It is not discriminatory under subsection (c) of this section if at least the
4 following benefits are provided:

5 (1) with respect to inpatient benefits for services provided in a licensed
6 or certified facility, including hospital inpatient benefits, the total number of days for
7 which benefits are payable and the terms and conditions that apply to those benefits
8 are at least equal to those that apply to the benefits available under the policy or
9 contract for physical illnesses;

10 (2) subject to subsection (g) of this section, with respect to benefits for
11 partial hospitalization, at least 60 days of partial hospitalization are covered under
12 the same terms and conditions that apply to the benefits available under the policy or
13 contract for physical illnesses; and

14 (3) with respect to outpatient coverage, other than for inpatient or
15 partial hospitalization services, benefits for covered expenses arising from services,
16 INCLUDING PSYCHOLOGICAL AND NEUROPSYCHOLOGICAL TESTING FOR
17 DIAGNOSTIC PURPOSES, provided to treat mental illnesses, emotional disorders, drug
18 abuse, or alcohol abuse are at a rate that, after the applicable deductible, is not less
19 than:

20 (i) 80% for the first five visits in a calendar year or benefit period
21 of not more than 12 months;

22 (ii) 65% for the 6th through 30th visit in a calendar year or benefit
23 period of not more than 12 months; and

24 (iii) 50% for the 31st visit and any subsequent visit in a calendar
25 year or benefit period of not more than 12 months.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
27 effect October 1, 2005.