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

Introduced and read first time: February 4, 2005
Assigned to: Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 23, 2005

CHAPTER _____

1 AN ACT concerning

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

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

11 BY repealing and reenacting, with amendments,
12 Article - Health - General
13 Section 19-703.1(b)
14 Annotated Code of Maryland
15 (2000 Replacement Volume and 2004 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article - Insurance
18 Section 15-802(c)
19 Annotated Code of Maryland
20 (2002 Replacement Volume and 2004 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article - Insurance

1 Section 15-802(d)
2 Annotated Code of Maryland
3 (2002 Replacement Volume and 2004 Supplement)

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

6 **Article - Health - General**

7 19-703.1.

8 (b) (1) Subject to the provisions of this section, each contract or certificate
9 issued to a member or subscriber by a health maintenance organization that provides
10 health benefits and services for diseases may not discriminate against any person
11 with a mental illness, emotional disorder or a drug abuse or alcohol abuse disorder by
12 failing to provide benefits for treatment and diagnosis of these illnesses under the
13 same terms and conditions as provided for covered benefits offered under the contract
14 or certificate for the treatment of physical illness.

15 (2) It shall not be considered to be discriminatory under paragraph (1) of
16 this subsection if at least the following benefits are provided:

17 (i) With respect to inpatient benefits provided in a licensed or
18 certified facility, which shall include hospital inpatient benefits, the total number of
19 days for which benefits are payable shall be:

20 1. Except as provided in subsection (d) of this section, from
21 July 1, 1994 through June 30, 1995, at least 60 days in any calendar year or benefit
22 period of not more than 12 months under the same terms and conditions that apply to
23 benefits available under the contract or certificate for physical illness; and

24 2. On or after July 1, 1995, at least equal to the same terms
25 and conditions that apply to the benefits available under the contract or certificate for
26 physical illness;

27 (ii) Subject to subsection (f) of this section, with respect to benefits
28 for partial hospitalization, at least 60 days of partial hospitalization shall be covered
29 under the same terms and conditions that apply to the benefit available under the
30 contract or certificate for physical illness; and

31 (iii) With respect to outpatient coverage, other than for inpatient or
32 partial hospitalization services, benefits for covered expenses arising from services,
33 INCLUDING PSYCHOLOGICAL AND NEUROPSYCHOLOGICAL TESTING FOR
34 DIAGNOSTIC PURPOSES, which are rendered to treat mental illness, emotional
35 disorders, drug abuse and alcohol abuse shall be at a rate which is, after the
36 applicable deductible, not less than:

37 1. 80 percent for the first 5 visits in any calendar year or
38 benefit period of not more than 12 months;

1 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
2 effect October 1, 2005.