

By: **Senators Lawlah, Astle, Britt, Conway, Currie, Della, Exum, Forehand, Frosh, Gladden, Green, Greenip, Grosfeld, Hogan, Hollinger, Hooper, Jacobs, Jones, Kasemeyer, Kelley, Klausmeier, Kramer, McFadden, Middleton, Miller, Munson, Pinsky, Ruben, Schrader, Stone, 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 29, 2005

CHAPTER

1 AN ACT concerning

Health Insurance - Annual Human Papillomavirus Screening Test - Coverage

4 FOR the purpose of requiring certain insurers, nonprofit health service plans, and
5 health maintenance organizations to provide coverage for ~~an annual~~ a human
6 papillomavirus screening test for certain persons under certain circumstances at
7 the testing intervals outlined in certain recommendations developed by the
8 American College of Obstetricians and Gynecologists; authorizing certain
9 insurers, nonprofit health service plans, and health maintenance organizations
10 to impose certain cost-sharing requirements under certain circumstances;
11 defining certain terms; providing for the application of this Act; and generally
12 relating to requiring certain insurers, nonprofit health service plans, and health
13 maintenance organizations to provide coverage for ~~an annual~~ a human
14 papillomavirus screening test under certain circumstances.

15 BY repealing and reenacting, with amendments,
16 Article - Insurance
17 Section 15-829
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:

Article - Insurance

2 15-829.

3 (a) (1) In this section the following words have the meanings indicated.

4 (2) "Chlamydia screening test" means any laboratory test that:

5 (i) specifically detects for infection by one or more agents of
6 chlamydia trachomatis; and

7 (ii) is approved for this purpose by the federal Food and Drug
8 Administration.

11 (I) SPECIFICALLY DETECTS FOR INFECTION BY ONE OR MORE
12 AGENTS OF THE HUMAN PAPILLOMAVIRUS; AND

13 (II) IS APPROVED FOR THIS PURPOSE BY THE FEDERAL FOOD AND
14 DRUG ADMINISTRATION.

15 (4) "Multiple risk factors" means having a prior history of a sexually
16 transmitted disease, new or multiple sex partners, inconsistent use of barrier
17 contraceptives, or cervical ectopy.

18 (b) This section applies to:

23 (2) health maintenance organizations that provide hospital, medical, or
24 surgical benefits to individuals or groups under contracts that are issued or delivered
25 in the State.

26 (c) An entity subject to this section shall:

27 (1) provide coverage for an annual routine chlamydia screening test **AND**
28 ~~ANNUAL ROUTINE HUMAN PAPILLOMAVIRUS SCREENING TEST~~ for:

29 [(1)] (I) women who are:

30 [(i)] 1. under the age of 20 years if they are sexually active; and

31 (ii) 2. at least 20 years old if they have multiple risk factors; and

32 [2]) (II) men who have multiple risk factors; AND

8 (d) (1) Subject to paragraph (2) of this subsection, the coverage required
9 under this section may be subject to a co-payment or coinsurance requirement or
10 deductible that an entity subject to this section imposes for similar coverages under
11 the same policy or contract.

12 (2) The co-payment or coinsurance requirement or deductible imposed
13 under paragraph (1) of this subsection may not be greater than the co-payment or
14 coinsurance requirement or deductible imposed by the entity for similar coverages.

15 (e) Nothing in this section may be construed to prohibit an entity subject to
16 this section from providing coverages that are greater than or more favorable to an
17 insured or enrollee than the coverage required under this section.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
19 policies, contracts, and health benefit plans issued, delivered, or renewed in the State
20 on or after October 1, 2005. Any policy or health benefit plan in effect before October
21 1, 2005, shall comply with the provisions of this Act no later than October 1, 2006.

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