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By: **Delegates Benson and Nathan-Pulliam**

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Committee Report: Favorable

House action: Adopted

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2                                   **Health Insurance - Coverage for Services Following a Mastectomy or**  
 3                                   **Surgical Removal of a Testicle**

4 FOR the purpose of repealing a certain termination date for insurance coverage for  
 5 certain home visits following a mastectomy or surgical removal of a testicle;  
 6 requiring the Maryland Health Care Commission to assess the impacts of  
 7 requiring health insurance carriers to provide coverage for the cost of certain  
 8 inpatient hospitalization services following a mastectomy or surgical removal of  
 9 a testicle; requiring the Commission to report to the General Assembly on the  
 10 results of its study; and generally relating to health insurance coverage for  
 11 services following a mastectomy or surgical removal of a testicle.

12 BY repealing and reenacting, without amendments,  
 13 Article - Insurance  
 14 Section 15-832  
 15 Annotated Code of Maryland  
 16 (2002 Replacement Volume and 2005 Supplement)

17 BY repealing and reenacting, with amendments,  
 18 Chapter 120 of the Acts of the General Assembly of 1999, as amended by  
 19 Chapter 59 of the Acts of the General Assembly of 2003  
 20 Section 7

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

1

**Article - Insurance**

2 15-832.

3 (a) In this section, "mastectomy" means the surgical removal of all or part of a  
4 breast as a result of breast cancer.

5 (b) This section applies to:

6 (1) insurers and nonprofit health service plans that provide inpatient  
7 hospital, medical, or surgical benefits to individuals or groups on an  
8 expense-incurred basis under health insurance policies or contracts that are issued or  
9 delivered in the State; and

10 (2) health maintenance organizations that provide inpatient hospital,  
11 medical, or surgical benefits to individuals or groups under contracts that are issued  
12 or delivered in the State.

13 (c) For a patient who receives less than 48 hours of inpatient hospitalization  
14 following a mastectomy or the surgical removal of a testicle, or who undergoes a  
15 mastectomy or the surgical removal of a testicle on an outpatient basis, an entity  
16 subject to this section shall provide coverage for:

17 (1) one home visit scheduled to occur within 24 hours after discharge  
18 from the hospital or outpatient health care facility; and

19 (2) an additional home visit if prescribed by the patient's attending  
20 physician.

21 (d) Each entity subject to this section shall provide notice annually to its  
22 enrollees and insureds about the coverage required under this section.

**23 Chapter 120 of the Acts of 1999, as amended by Chapter 59 of the Acts of 2003**

24 SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in  
25 Section 6 of this Act, this Act shall take effect October 1, 1999. [Section 2 of this Act  
26 shall remain effective for a period of 7 years and, at the end of September 30, 2006,  
27 with no further action required by the General Assembly, Section 2 of this Act shall be  
28 abrogated and of no further force and effect.]

29 SECTION 2. AND BE IT FURTHER ENACTED, That:

30 (a) The Maryland Health Care Commission shall assess the social, medical,  
31 and financial impacts of requiring health insurance carriers to provide:

32 (1) at minimum, coverage for the cost of inpatient hospitalization  
33 services for an overnight stay following a mastectomy or surgical removal of a testicle;  
34 and

1           (2)       if a medical complication related to the mastectomy or surgical  
2 removal of a testicle should occur, additional medically necessary inpatient  
3 hospitalization services.

4       (b)       The assessment shall be carried out in accordance with the requirements  
5 of § 15-1501(c) of the Insurance Article.

6       (c)       On or before January 1, 2007, the Commission shall report, in accordance  
7 with § 2-1246 of the State Government Article, to the General Assembly on the  
8 results of its assessment.

9       SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 July 1, 2006.