

HOUSE BILL 1057

C3

71r2430

By: **Delegate Mizeur**

Introduced and read first time: February 9, 2007

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Equity in Family Coverage**

3 FOR the purpose of requiring certain health insurance policies or contracts to provide
4 that the same health insurance benefits and eligibility guidelines that apply to
5 covered dependents are available on request to certain adult members and
6 certain child members of the household of the insured, subscriber, employee, or
7 member; authorizing insurers and nonprofit health service plans to require
8 certain proof; providing that the provisions of this Act apply to health
9 maintenance organizations; providing for the application of this Act; and
10 generally relating to coverage for household members under health insurance.

11 BY adding to

12 Article – Health – General
13 Section 19–706(jjj)
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2006 Supplement)

16 BY adding to

17 Article – Insurance
18 Section 15–403.2
19 Annotated Code of Maryland
20 (2006 Replacement Volume and 2006 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article - Health - General**

2 19-706.

3 **(JJJ) THE PROVISIONS OF § 15-403.2 OF THE INSURANCE ARTICLE**
4 **APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.**

5 **Article - Insurance**

6 **15-403.2.**

7 **(A) THIS SECTION APPLIES TO:**

8 **(1) EACH INDIVIDUAL HEALTH INSURANCE POLICY THAT:**

9 **(I) PROVIDES COVERAGE ON AN EXPENSE-INCURRED**
10 **BASIS; AND**

11 **(II) PROVIDES COVERAGE FOR A FAMILY MEMBER OF THE**
12 **INSURED;**

13 **(2) EACH GROUP HEALTH INSURANCE POLICY THAT:**

14 **(I) PROVIDES COVERAGE ON AN EXPENSE-INCURRED BASIS**
15 **FOR EMPLOYEES OF AN EMPLOYER OR EMPLOYERS OR MEMBERS OF A UNION**
16 **OR UNIONS; AND**

17 **(II) PROVIDES COVERAGE FOR A FAMILY MEMBER OF A**
18 **COVERED EMPLOYEE OR MEMBER; AND**

19 **(3) EACH INDIVIDUAL SERVICE OR INDEMNITY CONTRACT THAT:**

20 **(I) IS ISSUED BY A NONPROFIT HEALTH SERVICE PLAN; AND**

21 **(II) PROVIDES COVERAGE FOR A FAMILY MEMBER OF THE**
22 **SUBSCRIBER.**

23 **(B) EACH POLICY OR CONTRACT SUBJECT TO THIS SECTION SHALL**
24 **PROVIDE THAT THE SAME HEALTH INSURANCE BENEFITS AND ELIGIBILITY**

1 GUIDELINES THAT APPLY TO ANY COVERED DEPENDENT ARE AVAILABLE, ON
2 REQUEST OF THE INSURED, SUBSCRIBER, EMPLOYEE, OR MEMBER, TO:

3 (1) AN ADULT MEMBER OF THE HOUSEHOLD OF THE INSURED,
4 SUBSCRIBER, EMPLOYEE, OR MEMBER WHO:

5 (I) IS NOT THE CHILD OF THE INSURED, SUBSCRIBER,
6 EMPLOYEE, OR MEMBER; AND

7 (II) RESIDES WITH THE INSURED, SUBSCRIBER, EMPLOYEE,
8 OR MEMBER; AND

9 (2) A CHILD MEMBER OF THE HOUSEHOLD OF THE INSURED,
10 SUBSCRIBER, EMPLOYEE, OR MEMBER WHO:

11 (I) IS NOT THE LEGAL DEPENDENT OF THE INSURED,
12 SUBSCRIBER, EMPLOYEE, OR MEMBER;

13 (II) RESIDES WITH THE INSURED, SUBSCRIBER, EMPLOYEE,
14 OR MEMBER; AND

15 (III) HAS NOT ATTAINED THE LIMITING AGE UNDER THE
16 TERMS OF THE POLICY OR CONTRACT.

17 (C) (1) AN INSURER OR NONPROFIT HEALTH SERVICE PLAN MAY
18 REQUIRE PROOF THAT THE ADULT OR CHILD MEMBER OF THE HOUSEHOLD
19 RESIDES WITH THE INSURED, SUBSCRIBER, EMPLOYEE, OR MEMBER.

20 (2) IF THE INSURER OR NONPROFIT HEALTH SERVICE PLAN
21 REQUIRES PROOF UNDER THIS SUBSECTION, THE INSURER OR NONPROFIT
22 HEALTH SERVICE PLAN SHALL PAY THE COST OF THE PROOF.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
24 policies, contracts, and health benefit plans issued, delivered, or renewed in the State
25 on or after October 1, 2007.

26 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2007.