

**SB0852/787270/2**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 852  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Benefits” insert “– Notice and Report”; strike beginning with “prohibiting” in line 3 down through “benefits” in line 6 and substitute “requiring a carrier to notify an insured, subscriber, or enrollee at certain times about the policy of the carrier regarding the assignment of benefits to a health care provider; requiring the notice to include certain information; requiring the Joint Committee on Health Care Delivery and Financing to conduct a certain study and report on its findings to the General Assembly on or before a certain date; providing for the effective dates of this Act; providing for a delayed effective date for certain provisions of this Act; providing for the application of certain provisions of this Act”.

AMENDMENT NO. 2

On page 2, in line 9, after “INSURER” insert “THAT PROVIDES BENEFITS ON AN EXPENSE-INCURRED BASIS”; and in line 16, after “PLANS” insert “THAT PROVIDE BENEFITS ON AN EXPENSE-INCURRED BASIS AND ARE”.

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 25 on page 2 through line 2 on page 3, inclusive, and substitute:

“(B) (1) (I) A CARRIER SHALL NOTIFY ITS INSUREDS, SUBSCRIBERS, OR ENROLLEES ABOUT THE POLICY OF THE CARRIER REGARDING THE HONORING OF AN ASSIGNMENT OF BENEFITS TO A HEALTH CARE PROVIDER BY AN INSURED, A SUBSCRIBER, OR AN ENROLLEE.

(II) THE NOTIFICATION REQUIRED UNDER THIS SECTION SHALL INCLUDE INFORMATION ABOUT THE RESPONSIBILITY OF THE INSURED,

(Over)

SUBSCRIBER, OR ENROLLEE REGARDING PAYMENT TO A NONPARTICIPATING PROVIDER IN THE EVENT THAT THE CARRIER DOES NOT HONOR AN ASSIGNMENT OF BENEFITS TO A HEALTH CARE PROVIDER.

(2) A CARRIER SHALL PROVIDE THE NOTIFICATION REQUIRED UNDER THIS SECTION IN WRITING TO THE INSURED, SUBSCRIBER, OR ENROLLEE:

(I) ON INITIAL ENROLLMENT OF THE INSURED, SUBSCRIBER, OR ENROLLEE IN A HEALTH BENEFIT PLAN ISSUED BY THE CARRIER; AND

(II) ON RENEWAL OF ENROLLMENT OF THE INSURED, SUBSCRIBER, OR ENROLLEE IN THE HEALTH BENEFIT PLAN.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Joint Committee on Health Care Delivery and Financing shall study the benefits, costs, and other policy issues associated with enacting legislation to prohibit health insurance carriers from refusing to accept a patient's assignment of benefits to a health care provider, including:

(1) the impact on consumers of enacting legislation prohibiting health insurance carriers from refusing to accept a patient's assignment of benefits;

(2) the experience of other states that have enacted legislation prohibiting health insurance carriers from refusing to accept a patient's assignment of benefits;

(3) costs incurred by health care providers when a health insurance carrier refuses to accept a patient's assignment of benefits;

(4) mechanisms to ensure that health insurance carriers have an adequate number of hospital-based providers in their networks;

(5) the impact of enacting legislation prohibiting health insurance carriers from refusing to accept a patient's assignment of benefits on the ability of carriers to maintain adequate networks of health care providers; and

(6) any other issues relating to the assignment of benefits that the Committee determines is appropriate.

(b) The Committee, in conducting the study required under this section, shall consult with the Maryland Insurance Administration, the Office of the Attorney General, health care providers, provider practice management companies, and health insurance carriers.

(c) On or before December 1, 2009, the Committee shall submit a report on its findings under this section to the General Assembly, in accordance with § 2-1246 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect January 1, 2010, and shall apply to policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or after January 1, 2010.”.

AMENDMENT NO. 4

On page 3, in line 3, strike “2.” and substitute “4.”; in the same line, after “That” insert “, except as provided in Section 3 of this Act,”; and in line 4, strike “October” and substitute “June”.