

SB0704/257270/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 704
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Frosh” and substitute “, Frosh, Exum, Kelley, Middleton, and Pugh”; strike the beginning with “providing” in line 4 down through “containing” in line 8 and substitute “authorizing certain health maintenance organization contracts, health insurance policies or contracts, and policies or contracts of nonprofit health service plans to contain”; and in line 10, after “policies” insert “under certain circumstances; prohibiting a motor vehicle liability insurer from making a payment to a health maintenance organization, an insurer, or a nonprofit health service plan unless a certain authorization is provided to the motor vehicle liability insurer”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 35 on page 2 through line 5 on page 3, inclusive, and substitute:

“(2) SUBJECT TO § 19-507(C)(3) OF THE INSURANCE ARTICLE, A CONTRACT BETWEEN A HEALTH MAINTENANCE ORGANIZATION AND ITS SUBSCRIBERS OR A GROUP OF SUBSCRIBERS MAY CONTAIN A PROVISION THAT REQUIRES PERSONAL INJURY PROTECTION BENEFITS UNDER A MOTOR VEHICLE LIABILITY INSURANCE POLICY TO BE PAID BEFORE BENEFITS UNDER THE CONTRACT.”.

On page 3, strike in their entirety lines 18 through 24, inclusive, and substitute:

“(D) SUBJECT TO § 19-507(C)(3) OF THIS ARTICLE, A POLICY OR CONTRACT BETWEEN AN INSURER OR A NONPROFIT HEALTH SERVICE PLAN AND ITS INSURERS OR SUBSCRIBERS OR A GROUP OF INSURED OR SUBSCRIBERS MAY

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CONTAIN A PROVISION THAT REQUIRES PERSONAL INJURY PROTECTION BENEFITS UNDER A MOTOR VEHICLE LIABILITY INSURANCE POLICY TO BE PAID BEFORE BENEFITS UNDER THE POLICY OR CONTRACT.”.

On page 4, in line 7, strike “paragraph” and substitute “PARAGRAPHS”; in the same line, after “(2)” insert “AND (3)”; and after line 17, insert:

“(3) THE MOTOR VEHICLE LIABILITY INSURER MAY NOT MAKE A PAYMENT TO A HEALTH MAINTENANCE ORGANIZATION, AN INSURER, OR A NONPROFIT HEALTH SERVICE PLAN UNLESS THE HEALTH MAINTENANCE ORGANIZATION, INSURER, OR NONPROFIT HEALTH SERVICE PLAN PROVIDES THE MOTOR VEHICLE LIABILITY INSURER WRITTEN AUTHORIZATION FOR THE PAYMENT FROM THE INSURED.”.