

**SB0057/346582/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 57  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Insurance –” insert “Conformity with Federal Law -”; in the same line, strike “and” and substitute a comma; in line 3, strike “- Parity with Federal Law” and substitute “, and the Federal Patient Protection and Affordable Care Act”; in line 20, after “manner;” insert “providing that certain provisions of law enacted after a certain date do not apply to certain group health plans and certain health insurance coverage under certain circumstances; providing for a certain exception; providing that certain provisions of federal law apply to certain insurers, nonprofit health service plans, and health maintenance organizations; authorizing the Maryland Insurance Commissioner to enforce certain provisions of law; making certain provisions of this Act applicable to health maintenance organizations;”.

On page 2, in line 1, after the semicolon insert “providing for the termination of certain provisions of this Act;”; and after line 7, insert:

“BY adding to

Article – Health – General  
Section 19-706(cccc) and (dddd)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – Insurance  
Section 15-134 and 15-135  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)”.

(Over)

AMENDMENT NO. 2

On page 6, after line 15, insert:

“19-706.

(CCCC) THE PROVISIONS OF § 15-134 OF THE INSURANCE ARTICLE APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.”;

and after line 16, insert:

“15-134.

(A) IN THIS SECTION, “GRANDFATHERED HEALTH PLAN” HAS THE MEANING STATED IN THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT, AS AMENDED BY THE FEDERAL HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A PROVISION OF THIS TITLE OR TITLE 14 OF THIS ARTICLE ENACTED AFTER JANUARY 1, 2010, MAY NOT APPLY TO A GROUP HEALTH PLAN THAT IS A GRANDFATHERED HEALTH PLAN OR HEALTH INSURANCE COVERAGE THAT IS A GRANDFATHERED HEALTH PLAN IF THE PROVISION WOULD PREVENT THE GROUP HEALTH PLAN OR HEALTH INSURANCE COVERAGE FROM BEING CONSIDERED A GRANDFATHERED HEALTH PLAN.

(C) SUBSECTION (B) OF THIS SECTION DOES NOT APPLY TO ANY PROVISION OF THIS TITLE OR TITLE 14 OF THIS ARTICLE ENACTED AFTER JANUARY 1, 2010, TO ENFORCE A PROVISION OF FEDERAL LAW THAT WAS ENACTED ON OR BEFORE JANUARY 1, 2010.”.

AMENDMENT NO. 3

On page 11, after line 9, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Health – General

19-706.

**(DDDD) THE PROVISIONS OF § 15-135 OF THE INSURANCE ARTICLE APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.**

Article – Insurance

**15-135.**

**(A) THE PROVISIONS OF TITLE I, SUBTITLES A AND C OF THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT, AS AMENDED BY §§ 10101 AND 10103 OF THAT ACT AND THE FEDERAL HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010, APPLY TO ALL INSURERS, NONPROFIT HEALTH SERVICE PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS THAT DELIVER OR ISSUE FOR DELIVERY INDIVIDUAL, GROUP, OR BLANKET HEALTH INSURANCE POLICIES OR CONTRACTS IN THE STATE.**

**(B) THE COMMISSIONER MAY ENFORCE THIS SECTION UNDER ANY APPLICABLE PROVISIONS OF THIS ARTICLE.”.**

AMENDMENT NO. 4

On page 11, in line 10, strike “2.” and substitute “3.”; and in line 14, after the period insert “Section 2 of this Act shall remain effective through June 30, 2011, and,

(Over)

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at the end of June 30, 2011, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.”.