

BY: Finance Committee

AMENDMENTS TO SENATE BILL 57

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Maryland)” insert “and Senators Astle, Della, Exum, Garagiola, Glassman, Kelley, Klausmeier, Middleton, and Pugh”; in line 2, strike “- Group Health Plans” and substitute “and Medical and Surgical Benefits for Mastectomies – Parity with Federal Law”; in lines 7 and 8, in each instance, strike “health plans” and substitute “contracts covering employees of one or more large employers”; in line 11, after “system;” insert “requiring certain factors used to manage certain benefits for mental illnesses, emotional disorders, drug abuse disorders, or alcohol abuse disorders under certain group contracts to be comparable as written and in operation to, and applied no more stringently than, the factors used to manage the benefits for certain physical illnesses; requiring certain contracts to provide coverage for certain physical complications of all stages of mastectomy in a certain manner;”; in line 12, after “terms;” insert “altering a certain definition;”; strike beginning with the second “and” in line 13 down through “benefits” in line 14; and in line 22, after “15-802” insert “and 15-815”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 6 through 8, inclusive; in line 9, strike “(5)” and substitute “(4)”; after line 10, insert:

“(5) “LARGE EMPLOYER” MEANS AN EMPLOYER THAT HAS MORE THAN 50 EMPLOYEES AND IS NOT A SMALL EMPLOYER.”;

and after line 19, insert:

“(8) “SMALL EMPLOYER” HAS THE MEANING STATED IN § 15-1201 OF THE INSURANCE ARTICLE.”.

(Over)

On page 3, strike in their entirety lines 11 through 15, inclusive, and substitute:

“(III) FOR GROUP CONTRACTS COVERING EMPLOYEES OF ONE OR MORE LARGE EMPLOYERS, WITH RESPECT TO BENEFITS FOR PARTIAL HOSPITALIZATION FOR THE TREATMENT OF MENTAL ILLNESS, EMOTIONAL DISORDERS, DRUG ABUSE, AND ALCOHOL ABUSE, THE GREATER OF:

1. THE SAME BENEFITS PAYABLE UNDER THE CONTRACT FOR PARTIAL HOSPITALIZATION FOR PHYSICAL ILLNESS; OR

2. AT LEAST 60 DAYS OF PARTIAL HOSPITALIZATION COVERED UNDER THE SAME TERMS AND CONDITIONS THAT APPLY TO OUTPATIENT TREATMENT OF PHYSICAL ILLNESSES;”.

On page 3 in line 29 and on page 4 in line 8, in each instance, strike “HEALTH PLANS” and substitute **“CONTRACTS COVERING EMPLOYEES OF ONE OR MORE LARGE EMPLOYERS”.**

On page 4, after line 11, insert:

“(5) FOR GROUP CONTRACTS COVERING EMPLOYEES OF ONE OR MORE LARGE EMPLOYERS, THE PROCESSES, STRATEGIES, EVIDENTIARY STANDARDS, OR OTHER FACTORS USED TO MANAGE THE BENEFITS REQUIRED UNDER THIS SECTION MUST BE COMPARABLE AS WRITTEN AND IN OPERATION TO, AND APPLIED NO MORE STRINGENTLY THAN, THE PROCESSES, STRATEGIES, EVIDENTIARY STANDARDS, OR OTHER FACTORS USED TO MANAGE THE BENEFITS FOR PHYSICAL ILLNESSES COVERED UNDER THE CONTRACT.”;

and in lines 12, 15, and 24, strike “(5)”, “(6)”, and “(7)”, respectively, and substitute “(6)”, “(7)”, and “(8)”, respectively.

AMENDMENT NO. 3

On page 5, strike in their entirety lines 23 through 25, inclusive; in line 26, strike “(5)” and substitute “(4)”; and after line 27, insert:

“(5) “LARGE EMPLOYER” MEANS AN EMPLOYER THAT HAS MORE THAN 50 EMPLOYEES AND IS NOT A SMALL EMPLOYER.”.

On page 6, after line 5, insert:

“(8) “SMALL EMPLOYER” HAS THE MEANING STATED IN § 15-1201 OF THIS TITLE.”;

and strike in their entirety lines 26 through 30, inclusive, and substitute:

“(3) FOR GROUP CONTRACTS COVERING EMPLOYEES OF ONE OR MORE LARGE EMPLOYERS, WITH RESPECT TO BENEFITS FOR PARTIAL HOSPITALIZATION FOR THE TREATMENT OF MENTAL ILLNESS, EMOTIONAL DISORDERS, DRUG ABUSE, AND ALCOHOL ABUSE, THE GREATER OF:

(I) THE SAME BENEFITS PAYABLE UNDER THE CONTRACT FOR PARTIAL HOSPITALIZATION FOR PHYSICAL ILLNESS; OR

(II) AT LEAST 60 DAYS OF PARTIAL HOSPITALIZATION COVERED UNDER THE SAME TERMS AND CONDITIONS THAT APPLY TO OUTPATIENT TREATMENT OF PHYSICAL ILLNESSES;”.

(Over)

On page 7, in lines 7 and 28, in each instance, strike “HEALTH PLANS” and substitute “CONTRACTS COVERING EMPLOYEES OF ONE OR MORE LARGE EMPLOYERS”; after line 31, insert:

“(4) FOR GROUP CONTRACTS COVERING EMPLOYEES OF ONE OR MORE LARGE EMPLOYERS, THE PROCESSES, STRATEGIES, EVIDENTIARY STANDARDS, OR OTHER FACTORS USED TO MANAGE THE BENEFITS REQUIRED UNDER THIS SECTION MUST BE COMPARABLE AS WRITTEN AND IN OPERATION TO, AND APPLIED NO MORE STRINGENTLY THAN, THE PROCESSES, STRATEGIES, EVIDENTIARY STANDARDS, OR OTHER FACTORS USED TO MANAGE THE BENEFITS FOR PHYSICAL ILLNESSES COVERED UNDER THE CONTRACT.”;

and in line 32, strike “(4)” and substitute “(5)”.

AMENDMENT NO. 4

On page 8, in line 7, strike “(5)” and substitute “(6)”; and after line 28, insert:

“15–815.

(a) (1) In this section the following words have the meanings indicated.

(2) “Mastectomy” means the surgical removal of all or part of a breast [as a result of breast cancer].

(3) (i) “Reconstructive breast surgery” means surgery performed as a result of a mastectomy to reestablish symmetry between the two breasts.

(ii) “Reconstructive breast surgery” includes augmentation mammoplasty, reduction mammoplasty, and mastopexy.

(b) This section applies to CONTRACTS ISSUED BY:

(1) insurers and nonprofit health service plans that provide [hospital, medical, or] MEDICAL AND surgical benefits to individuals or groups on an expense-incurred basis under health insurance [policies] CONTRACTS that are issued or delivered in the State; and

(2) health maintenance organizations that provide [hospital, medical, or] MEDICAL AND surgical benefits to individuals or groups under contracts that are issued or delivered in the State.

(c) [An entity] A CONTRACT subject to this section shall provide coverage for:

(1) reconstructive breast surgery, including coverage for all stages of reconstructive breast surgery performed on a nondiseased breast to establish symmetry with the diseased breast when reconstructive breast surgery is performed on the diseased breast; AND

(2) PHYSICAL COMPLICATIONS OF ALL STAGES OF MASTECTOMY, INCLUDING LYMPHEDEMAS, IN A MANNER DETERMINED IN CONSULTATION WITH THE ATTENDING PHYSICIAN AND THE PATIENT.”.