

HOUSE BILL 1356

C3

2lr3229
CF SB 849

By: **Delegate Barkley**

Introduced and read first time: February 16, 2012

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Dental Preventive Care – Coverage**

3 FOR the purpose of requiring certain insurers, nonprofit health service plans, health
4 maintenance organizations, dental plan organizations, and certain other
5 persons to provide coverage for certain dental preventive care if certain
6 conditions are met; prohibiting certain provisions of this Act from being
7 construed to require coverage for a certain service; making certain requirements
8 of this Act applicable to health maintenance organizations; defining certain
9 terms; providing for the application of this Act; and generally relating to
10 coverage for dental preventive care under health insurance.

11 BY adding to
12 Article – Insurance
13 Section 15–135.1
14 Annotated Code of Maryland
15 (2011 Replacement Volume)

16 BY adding to
17 Article – Health – General
18 Section 19–706(III)
19 Annotated Code of Maryland
20 (2009 Replacement Volume and 2011 Supplement)

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

23 **Article – Insurance**

24 **15–135.1.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
2 **MEANINGS INDICATED.**

3 **(2) “CARRIER” MEANS:**

4 **(I) AN INSURER;**

5 **(II) A NONPROFIT HEALTH SERVICE PLAN;**

6 **(III) A HEALTH MAINTENANCE ORGANIZATION;**

7 **(IV) A DENTAL PLAN ORGANIZATION; OR**

8 **(V) ANY OTHER PERSON THAT PROVIDES DENTAL BENEFIT**
9 **PLANS SUBJECT TO REGULATION BY THE STATE.**

10 **(3) (I) “DENTAL PREVENTIVE CARE” MEANS A PREVENTIVE**
11 **DENTAL VISIT, SCREENING, OR EXAMINATION THAT IS A COVERED BENEFIT**
12 **UNDER A POLICY OR CONTRACT ISSUED OR DELIVERED BY A CARRIER.**

13 **(II) “DENTAL PREVENTIVE CARE” INCLUDES, IF THE**
14 **SERVICE IS A COVERED BENEFIT:**

15 1. **A ROUTINE DENTAL CLEANING;**

16 2. **A ROUTINE DENTAL EXAMINATION; AND**

17 3. **A FLOURIDE TREATMENT AS INDICATED BY**
18 **EVIDENCE-BASED GUIDELINES.**

19 **(B) A CARRIER THAT PROVIDES COVERED BENEFITS FOR DENTAL**
20 **PREVENTIVE CARE SHALL PROVIDE COVERAGE IF:**

21 **(1) THE BENEFITS ARE PROVIDED:**

22 **(I) NO MORE THAN TWICE AT ANY TIME DURING THE PLAN**
23 **YEAR ESTABLISHED IN THE POLICY OR CONTRACT IF THE POLICY OR CONTRACT**
24 **PROVIDES COVERAGE FOR DENTAL PREVENTIVE CARE TWICE DURING THE PLAN**
25 **YEAR; OR**

26 **(II) NO MORE THAN ONCE AT ANY TIME DURING THE PLAN**
27 **YEAR ESTABLISHED IN THE POLICY OR CONTRACT IF THE POLICY OR CONTRACT**

1 PROVIDES COVERAGE FOR DENTAL PREVENTIVE CARE ONCE DURING THE PLAN
2 YEAR; AND

3 (2) ANY OTHER REQUIREMENTS FOR COVERAGE OF THE DENTAL
4 PREVENTIVE CARE ARE MET.

5 (C) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE COVERAGE
6 FOR A SERVICE NOT OTHERWISE REQUIRED BY LAW.

7 Article – Health – General

8 19–706.

9 (LLLL) THE PROVISIONS OF § 15–135.1 OF THE INSURANCE ARTICLE
10 APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
12 policies, contracts, and dental benefit plans issued, delivered, or renewed in the State
13 on or after October 1, 2012, or, for policies, contracts, and dental benefit plans in effect
14 in the State on October 1, 2012, but not subject to renewal before October 1, 2013, no
15 later than October 1, 2013.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2012.