

SENATE BILL 504

C3

EMERGENCY BILL

4lr2490
CF 4lr2485

By: **Senator Kelley**

Introduced and read first time: January 29, 2014

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Essential Health Benefits – Pediatric Dental Benefits**

3 FOR the purpose of providing that a health benefit plan offered by a health insurance
4 carrier outside the Maryland Health Benefit Exchange to individuals or small
5 employers is not required to include certain pediatric dental benefits under
6 certain circumstances; making this Act an emergency measure; and generally
7 relating to health benefit plans offered outside the Maryland Health Benefit
8 Exchange.

9 BY repealing and reenacting, with amendments,
10 Article – Insurance
11 Section 31–116(a)
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2013 Supplement)

14 BY adding to
15 Article – Insurance
16 Section 31–116(f)
17 Annotated Code of Maryland
18 (2011 Replacement Volume and 2013 Supplement)

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

21 **Article – Insurance**

22 31–116.

23 (a) The essential health benefits required under § 1302(a) of the Affordable
24 Care Act:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) shall be the benefits in the State benchmark plan, selected in
2 accordance with this section; and

3 (2) notwithstanding any other benefits mandated by State law, shall
4 be the benefits required in:

5 (i) **SUBJECT TO SUBSECTION (F) OF THIS SECTION**, all
6 individual health benefit plans and health benefit plans offered to small employers,
7 except for grandfathered health plans, as defined in the Affordable Care Act, offered
8 outside the Exchange; and

9 (ii) subject to § 31-115(c) of this title, all qualified health plans
10 offered in the Exchange.

11 **(F) TO THE EXTENT PERMITTED UNDER FEDERAL LAW, A HEALTH**
12 **BENEFIT PLAN OFFERED OUTSIDE THE EXCHANGE TO INDIVIDUALS OR SMALL**
13 **EMPLOYERS IS NOT REQUIRED TO PROVIDE ESSENTIAL PEDIATRIC DENTAL**
14 **BENEFITS IF:**

15 **(1) AT THE TIME THE CARRIER OFFERS THE HEALTH BENEFIT**
16 **PLAN, THE CARRIER DISCLOSES IN A FORM APPROVED BY THE COMMISSIONER**
17 **THAT THE HEALTH BENEFIT PLAN DOES NOT PROVIDE THE FULL RANGE OF**
18 **ESSENTIAL PEDIATRIC DENTAL BENEFITS; AND**

19 **(2) THE CARRIER IS REASONABLY ASSURED THAT THE ENROLLEE**
20 **HAS OBTAINED FULL COVERAGE OF ESSENTIAL PEDIATRIC DENTAL BENEFITS**
21 **THROUGH A QUALIFIED DENTAL PLAN.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
23 measure, is necessary for the immediate preservation of the public health or safety,
24 has been passed by a yea and nay vote supported by three-fifths of all the members
25 elected to each of the two Houses of the General Assembly, and shall take effect from
26 the date it is enacted.