

HOUSE BILL 781

C3

5lr2841
CF SB 241

By: **Delegates Waldstreicher and Beidle**

Introduced and read first time: February 13, 2015

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Coverage for Ostomy Equipment and Supplies – Required**

3 FOR the purpose of requiring insurers, nonprofit health service plans, and health
4 maintenance organizations that provide certain health insurance benefits under
5 certain insurance policies or contracts to provide coverage for certain equipment and
6 supplies used for the treatment of ostomies; requiring the Maryland Insurance
7 Commissioner, in consultation with the Secretary of Health and Mental Hygiene, to
8 adopt by regulation and periodically update a list of certain ostomy equipment and
9 supplies; providing that ostomy equipment and supplies included on a certain list
10 are subject to certain insurance coverage; providing that the required coverage may
11 be subject to certain deductibles and coinsurance; providing for the application of
12 this Act; and generally relating to coverage for ostomy equipment and supplies under
13 health insurance.

14 BY adding to

15 Article – Insurance

16 Section 15–848

17 Annotated Code of Maryland

18 (2011 Replacement Volume and 2014 Supplement)

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

21 **Article – Insurance**

22 **15–848.**

23 **(A) THIS SECTION APPLIES TO:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT**
2 **PROVIDE HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS**
3 **ON AN EXPENSE-INCURRED BASIS UNDER HEALTH INSURANCE POLICIES OR**
4 **CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE; AND**

5 **(2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE**
6 **HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS UNDER**
7 **CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.**

8 **(B) THIS SECTION DOES NOT APPLY TO A POLICY OR CONTRACT ISSUED OR**
9 **DELIVERED BY AN ENTITY SUBJECT TO THIS SECTION THAT PROVIDES THE**
10 **ESSENTIAL HEALTH BENEFITS REQUIRED UNDER § 1302(A) OF THE AFFORDABLE**
11 **CARE ACT.**

12 **(C) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR**
13 **ALL MEDICALLY APPROPRIATE AND NECESSARY EQUIPMENT AND SUPPLIES USED**
14 **FOR THE TREATMENT OF OSTOMIES, INCLUDING FLANGES, COLLECTION BAGS,**
15 **CLAMPS, IRRIGATION DEVICES, SANITIZING PRODUCTS, OSTOMY RINGS, AND**
16 **OSTOMY BELTS.**

17 **(D) (1) IN CONSULTATION WITH THE SECRETARY OF HEALTH AND**
18 **MENTAL HYGIENE, THE COMMISSIONER SHALL ADOPT BY REGULATION AND**
19 **PERIODICALLY UPDATE A LIST OF ADDITIONAL OSTOMY EQUIPMENT AND SUPPLIES**
20 **THAT ARE MEDICALLY NECESSARY FOR THE TREATMENT OF OSTOMIES.**

21 **(2) THE ADDITIONAL OSTOMY EQUIPMENT AND SUPPLIES INCLUDED**
22 **ON THE LIST REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION ARE SUBJECT**
23 **TO COVERAGE UNDER SUBSECTION (C) OF THIS SECTION.**

24 **(E) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
25 **COVERAGE REQUIRED UNDER THIS SECTION MAY BE SUBJECT TO THE ANNUAL**
26 **DEDUCTIBLES OR COINSURANCE REQUIREMENTS IMPOSED BY AN ENTITY SUBJECT**
27 **TO THIS SECTION FOR SIMILAR COVERAGES UNDER THE SAME HEALTH INSURANCE**
28 **POLICY OR CONTRACT.**

29 **(2) THE ANNUAL DEDUCTIBLES OR COINSURANCE REQUIREMENTS**
30 **IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR THE COVERAGE**
31 **REQUIRED UNDER THIS SECTION MAY NOT BE GREATER THAN THE ANNUAL**
32 **DEDUCTIBLES OR COINSURANCE REQUIREMENTS IMPOSED BY THE ENTITY FOR**
33 **SIMILAR COVERAGES.**

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
35 policies, contracts, and health benefit plans subject to this Act that are issued, delivered,
36 or renewed in the State on or after October 1, 2015.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2015.