

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

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 15, 2015

CHAPTER _____

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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 15-848.

2 (A) THIS SECTION APPLIES TO:

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

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

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

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

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

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

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

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.