

SENATE BILL 609

J1, C3

9lr1719

By: **Senator Nathan–Pulliam**

Introduced and read first time: February 4, 2019

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program and Health Insurance – Coverage –**
3 **Treatment for Contagious Diseases**

4 FOR the purpose of requiring the Maryland Medical Assistance Program, subject to a
5 certain limitation, to provide coverage for certain drugs or other treatments for the
6 treatment of a contagious disease; requiring certain insurers, nonprofit health
7 service plans, and health maintenance organizations to provide coverage for certain
8 drugs or other treatments for a contagious disease; prohibiting certain insurers,
9 nonprofit health service plans, and health maintenance organizations from reducing
10 or eliminating coverage in health insurance policies or contracts due to the
11 requirements of certain provisions of this Act; providing for the application of certain
12 provisions of this Act; and generally relating to the Maryland Medical Assistance
13 Program and health insurance coverage for treatment for contagious diseases.

14 BY repealing and reenacting, without amendments,
15 Article – Health – General
16 Section 15–103(a)(1) and (b)(1), (2)(i), and (5)(i)
17 Annotated Code of Maryland
18 (2015 Replacement Volume and 2018 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – Health – General
21 Section 15–103(a)(2)(xii) and (xiii)
22 Annotated Code of Maryland
23 (2015 Replacement Volume and 2018 Supplement)

24 BY adding to
25 Article – Health – General
26 Section 15–103(a)(2)(xiv)
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2015 Replacement Volume and 2018 Supplement)

BY adding to

Article – Insurance

Section 15–854

Annotated Code of Maryland

(2017 Replacement Volume and 2018 Supplement)

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

Article – Health – General

15–103.

(a) (1) The Secretary shall administer the Maryland Medical Assistance Program.

(2) The Program:

(xii) Shall provide services in accordance with funding restrictions included in the annual State budget bill; [and]

(xiii) Beginning on January 1, 2019, may provide, subject to the limitations of the State budget, and as permitted by federal law, dental services for adults whose annual household income is at or below 133 percent of the poverty level; AND

(XIV) SHALL PROVIDE, SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, ANY MEDICALLY APPROPRIATE DRUG OR OTHER TREATMENT FOR THE TREATMENT OF A CONTAGIOUS DISEASE THAT IS DETERMINED TO BE NECESSARY BY THE TREATING PHYSICIAN OF THE PROGRAM RECIPIENT.

(b) (1) As permitted by federal law or waiver, the Secretary may establish a program under which Program recipients are required to enroll in managed care organizations.

(2) (i) The benefits required by the program developed under paragraph (1) of this subsection shall be adopted by regulation and shall be equivalent to the benefit level required by the Maryland Medical Assistance Program on January 1, 1996.

(5) (i) Except for a service excluded by the Secretary under paragraph (4) of this subsection, each managed care organization shall provide all the benefits required by regulations adopted under paragraph (2) of this subsection.

Article – Insurance

1 15-854.

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 THAT ARE
6 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) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR
11 ANY MEDICALLY APPROPRIATE AND NECESSARY DRUG OR OTHER TREATMENT FOR
12 THE TREATMENT OF A CONTAGIOUS DISEASE AND THAT THE INSURED'S OR
13 ENROLLEE'S TREATING PHYSICIAN OR OTHER APPROPRIATELY LICENSED HEALTH
14 CARE PROVIDER CERTIFIES IS NECESSARY FOR THE TREATMENT OF THE
15 CONTAGIOUS DISEASE.

16 (C) AN ENTITY SUBJECT TO THIS SECTION MAY NOT REDUCE OR ELIMINATE
17 COVERAGE IN HEALTH INSURANCE POLICIES OR CONTRACTS DUE TO THE
18 REQUIREMENTS OF THIS SECTION.

19 SECTION 2. AND BE IT FURTHER ENACTED, That § 15-854 of the Insurance
20 Article, as enacted by Section 1 of this Act, shall apply to all policies, contracts, and health
21 benefit plans issued, delivered, or renewed in the State on or after January 1, 2020.

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2019.