

SENATE BILL 638

C3, J1

EMERGENCY BILL

11r2551
CF 11r2936

By: **Senator Augustine**

Introduced and read first time: January 29, 2021

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Insurance Commissioner – Specialty Mental Health Services and**
3 **Payment of Claims – Enforcement**

4 FOR the purpose of requiring the Maryland Insurance Commissioner to enforce a certain
5 provision of law providing that certain provisions of the Insurance Article apply to a
6 certain delivery system for specialty mental health services and administered by an
7 administrative services organization; making this Act an emergency measure; and
8 generally relating to enforcement duties of the Maryland Insurance Commissioner.

9 BY repealing and reenacting, without amendments,
10 Article – Health – General
11 Section 15–103(b)(21)(i) and (vi)
12 Annotated Code of Maryland
13 (2019 Replacement Volume and 2020 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Insurance
16 Section 2–108
17 Annotated Code of Maryland
18 (2017 Replacement Volume and 2020 Supplement)

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

21 **Article – Health – General**

22 15–103.

23 (b) (21) (i) The Department shall establish a delivery system for specialty
24 mental health services for enrollees of managed care organizations.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (vi) The provisions of § 15–1005 of the Insurance Article apply to the
2 delivery system for specialty mental health services established under this paragraph and
3 administered by an administrative services organization.

4 **Article – Insurance**

5 2–108.

6 In addition to any powers and duties set forth elsewhere by the laws of the State, the
7 Commissioner:

8 (1) has the powers and authority expressly conferred on the Commissioner
9 by or reasonably implied from this article;

10 (2) shall enforce this article;

11 (3) shall perform the duties imposed on the Commissioner by this article;

12 [and]

13 (4) in addition to examinations and investigations expressly authorized,
14 may conduct examinations and investigations of insurance matters as necessary to fulfill
15 the purposes of this article; **AND**

16 **(5) SHALL ENFORCE § 15–103(B)(21)(VI) OF THE HEALTH – GENERAL**
17 **ARTICLE.**

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