SENATE BILL 634

By: Senator Lam
Introduced and read first time: February 3, 2022
Assigned to: Finance

A BILL ENTITLED

AN ACT concerning
Health Insurance – Home Test Kits for Sexually Transmitted Diseases – Required Coverage

FOR the purpose of requiring certain health insurance policies and contracts to provide coverage for the purchase of home test kits to test for sexually transmitted diseases and related laboratory costs if the home test kit is ordered by an in–network provider under certain circumstances; and generally relating to health insurance coverage for home test kits to test for sexually transmitted diseases.

BY adding to
Article – Insurance
Section 15–857
Annotated Code of Maryland
(2017 Replacement Volume and 2021 Supplement)

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

Article – Insurance

15–857.

(A) IN THIS SECTION, “HOME TEST KIT” MEANS A PRODUCT THAT:

(1) IS USED BY AN INDIVIDUAL TO SELF–COLLECT SPECIMENS TO TEST FOR SEXUALLY TRANSMITTED DISEASES, INCLUDING THE HUMAN IMMUNODEFICIENCY VIRUS, AT A LOCATION THAT IS NOT A CLINICAL SETTING;

(2) IS RECOMMENDED BY:
(I) The Federal Centers for Disease Control and Prevention guidelines; or

(II) The United States Preventative Services Task Force; and

(3) (I) Has a Clinical Laboratory Improvement Amendment Waiver;

(II) Is cleared or approved by the federal Food and Drug Administration; or

(III) Is developed by a laboratory in accordance with established regulations and quality standards.

(B) This section applies to each individual, group, or blanket health insurance policy or contract that is issued or delivered in the State by an insurer or a nonprofit health service plan.

(C) A policy or contract subject to this section shall provide coverage for:

(1) The purchase of a home test kit if:

   (I) An in–network provider determines the home test kit is medically necessary or appropriate and orders the test kit for an insured or enrollee; or

   (II) An in–network provider issues a standing order for the test kit for use by an insured or enrollee based on clinical guidelines and the individual health needs of the insured or enrollee; and

(2) Laboratory costs for processing the home test kit.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or after January 1, 2023.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2023.