

Chapter 229

(Senate Bill 180)

AN ACT concerning

Insurance – Conformity With Federal Law – The No Surprises Act and Other Provisions of the Consolidated Appropriations Act, 2021

FOR the purpose of providing that certain provisions of federal law regarding protections from surprise medical bills and transparency apply to certain insurers, nonprofit health service plans, and health maintenance organizations; authorizing the Maryland Insurance Commissioner to enforce this Act; and generally relating to health insurance and conformity with federal law.

BY adding to

Article – Insurance

Section 15–146

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

15–146.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “BLANKET HEALTH INSURANCE” MEANS THE FORM OF HEALTH INSURANCE DESCRIBED IN § 15–305 OF THIS TITLE.

(3) “HEALTH BENEFIT PLAN” MEANS:

(I) AN INDIVIDUAL HEALTH BENEFIT PLAN AS DEFINED IN § 15–1301(O) OF THIS TITLE;

(II) A HEALTH BENEFIT PLAN AS DEFINED IN § 15–1201 OF THIS TITLE; OR

(III) A HEALTH BENEFIT PLAN AS DEFINED IN § 15–1401 OF THIS TITLE.

(4) “SHORT-TERM LIMITED DURATION INSURANCE” HAS THE MEANING STATED IN § 15-1301(S) OF THIS TITLE.

(B) THE PROVISIONS OF THE FEDERAL NO SURPRISES ACT AND DIVISION BB, TITLE II, § 201 OF THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT, 2021, APPLY TO ALL INSURERS, NONPROFIT HEALTH SERVICE PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS THAT DELIVER OR ISSUE FOR DELIVERY IN THE STATE POLICIES OR CONTRACTS FOR A HEALTH BENEFIT PLAN OR BLANKET HEALTH INSURANCE.

(C) THE PROVISIONS OF DIVISION BB, TITLE II, §§ 202 AND 203 OF THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT, 2021, APPLY TO ALL INSURERS, NONPROFIT HEALTH SERVICE PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS THAT DELIVER OR ISSUE FOR DELIVERY IN THE STATE POLICIES OR CONTRACTS FOR A HEALTH BENEFIT PLAN, BLANKET HEALTH INSURANCE, OR SHORT-TERM LIMITED DURATION INSURANCE.

(D) THE COMMISSIONER MAY ENFORCE THIS SECTION UNDER ANY APPLICABLE PROVISIONS OF THIS ARTICLE.

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2022.~~

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

Approved by the Governor, April 21, 2022.