

# SENATE BILL 184

J5, J4

3lr0561  
CF 3lr0562

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By: **Senators Beidle, Benson, Gile, Hester, and King**  
Introduced and read first time: January 20, 2023  
Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Diagnostic and Supplemental Examinations for Breast**  
3 **Cancer – Cost-Sharing**

4 FOR the purpose of prohibiting insurers, nonprofit health service plans, and health  
5 maintenance organizations that provide coverage for diagnostic and supplemental  
6 breast examinations from imposing a copayment, coinsurance, or deductible  
7 requirement for the examination; and generally relating to health insurance and  
8 diagnostic and supplemental examinations for breast cancer.

9 BY adding to  
10 Article – Insurance  
11 Section 15–814.1  
12 Annotated Code of Maryland  
13 (2017 Replacement Volume and 2022 Supplement)

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

16 **Article – Insurance**

17 **15–814.1.**

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

20 **(2) (i) “DIAGNOSTIC BREAST EXAMINATION” MEANS A MEDICALLY**  
21 **NECESSARY AND APPROPRIATE EXAMINATION OF THE BREAST THAT IS USED TO**  
22 **EVALUATE AN ABNORMALITY THAT IS:**

23 **1. SEEN OR SUSPECTED FROM A PRIOR SCREENING**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 EXAMINATION FOR BREAST CANCER; OR

2 2. DETECTED BY ANOTHER MEANS OF PRIOR  
3 EXAMINATION.

4 (II) "DIAGNOSTIC BREAST EXAMINATION" INCLUDES AN  
5 EXAMINATION USING DIAGNOSTIC MAMMOGRAPHY, BREAST MAGNETIC RESONANCE  
6 IMAGING, OR BREAST ULTRASOUND.

7 (3) (I) "SUPPLEMENTAL BREAST EXAMINATION" MEANS A  
8 MEDICALLY NECESSARY EXAMINATION OF THE BREAST THAT IS USED TO SCREEN  
9 FOR BREAST CANCER WHEN:

10 1. THERE IS NO ABNORMALITY SEEN OR SUSPECTED  
11 FROM A PRIOR EXAMINATION; AND

12 2. THERE IS A PERSONAL OR FAMILY MEDICAL HISTORY  
13 OR ADDITIONAL FACTORS THAT MAY INCREASE AN INDIVIDUAL'S RISK OF BREAST  
14 CANCER.

15 (II) "SUPPLEMENTAL BREAST EXAMINATION" INCLUDES AN  
16 EXAMINATION USING BREAST MAGNETIC RESONANCE IMAGING OR BREAST  
17 ULTRASOUND.

18 (B) THIS SECTION APPLIES TO:

19 (1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT  
20 PROVIDE COVERAGE FOR DIAGNOSTIC BREAST EXAMINATIONS OR SUPPLEMENTAL  
21 BREAST EXAMINATIONS UNDER INDIVIDUAL, GROUP, OR BLANKET HEALTH  
22 INSURANCE POLICIES OR CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE  
23 STATE; AND

24 (2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE  
25 COVERAGE FOR DIAGNOSTIC BREAST EXAMINATIONS OR SUPPLEMENTAL BREAST  
26 EXAMINATIONS UNDER INDIVIDUAL OR GROUP CONTRACTS THAT ARE ISSUED OR  
27 DELIVERED IN THE STATE.

28 (C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN ENTITY  
29 SUBJECT TO THIS SECTION MAY NOT IMPOSE A COPAYMENT, COINSURANCE, OR  
30 DEDUCTIBLE REQUIREMENT ON COVERAGE FOR DIAGNOSTIC BREAST  
31 EXAMINATIONS OR SUPPLEMENTAL BREAST EXAMINATIONS.

32 (2) IF THE APPLICATION OF PARAGRAPH (1) OF THIS SUBSECTION TO

1 A HEALTH SAVINGS ACCOUNT–QUALIFIED HIGH DEDUCTIBLE HEALTH PLAN WOULD  
2 RESULT IN HEALTH SAVINGS ACCOUNT INELIGIBILITY UNDER § 223 OF THE  
3 INTERNAL REVENUE CODE, PARAGRAPH (1) OF THIS SUBSECTION SHALL APPLY  
4 ONLY WITH RESPECT TO THE DEDUCTIBLE OF THE PLAN AFTER THE ENROLLEE HAS  
5 SATISFIED THE MINIMUM DEDUCTIBLE UNDER § 223 OF THE INTERNAL REVENUE  
6 CODE.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all  
8 policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or  
9 after January 1, 2024.

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 January 1, 2024.