## **HOUSE BILL 1259**

J5, J4 4lr1691

By: Delegates Alston and Fennell

Introduced and read first time: February 8, 2024 Assigned to: Health and Government Operations

#### A BILL ENTITLED

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ı	AN	$\mathbf{ACT}$	concerning
-	·		COLLECTION

# Health Insurance – Breast and Lung Cancer Screening – Coverage Requirements

- 4 FOR the purpose of including image-guided breast biopsy in the definition of 5 "supplemental breast examination" for the purpose of certain provisions of law 6 requiring certain insurers, health service plans, and health maintenance 7 organizations to provide coverage for supplemental breast examinations; clarifying 8 that certain coverage requirements for lung cancer screening apply to follow-up 9 diagnostic imaging; prohibiting certain insurers, health service plans, and health maintenance organizations from requiring prior authorization for required coverage 10 11 for lung cancer screening or follow-up diagnostic imaging; and generally relating to 12 health insurance and breast and lung cancer screening.
- 13 BY repealing and reenacting, with amendments,
- 14 Article Insurance
- 15 Section 15–814.1 and 15–860
- 16 Annotated Code of Maryland
- 17 (2017 Replacement Volume and 2023 Supplement)
- 18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 19 That the Laws of Maryland read as follows:
- 20 Article Insurance
- 21 15-814.1.
- 22 (a) (1) In this section the following words have the meanings indicated.
- 23 (2) (i) "Diagnostic breast examination" means a medically necessary 24 and appropriate examination of the breast that is used to evaluate an abnormality that is:



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$\frac{1}{2}$	breast cancer; or	1.	seen or suspected from a prior screening examination for		
3		2.	detected by another means of prior examination.		
4 5	(ii) diagnostic mammograph	_	gnostic breast examination" includes an examination using ast magnetic resonance imaging, or breast ultrasound.		
6 7	(3) (i) necessary examination of		plemental breast examination" means a medically reast that is used to screen for breast cancer when:		
8 9	examination; and	1.	there is no abnormality seen or suspected from a prior		
10 11	factors that may increas	2. e an in	there is a personal or family medical history or additional dividual's risk of breast cancer.		
12 13 14	(ii) using breast magnetic 1 BREAST BIOPSY.		plemental breast examination" includes an examination nce imaging [or], breast ultrasound, OR IMAGE-GUIDED		
15	(b) This section	applio	es to:		
16 17 18 19	diagnostic breast exami	nation	d nonprofit health service plans that provide coverage for s or supplemental breast examinations under individual, ance policies or contracts that are issued or delivered in the		
20 21 22	` ,	suppl	ntenance organizations that provide coverage for diagnostic emental breast examinations under individual or group ivered in the State.		
23 24 25	(c) (1) Except as provided in paragraph (2) of this subsection, an entity subject to this section may not impose a copayment, coinsurance, or deductible requirement on coverage for diagnostic breast examinations or supplemental breast examinations.				
26 27 28 29	as defined in 26 U.S.C. §	223, ai nental	d or enrollee is covered under a high-deductible health plan, n entity subject to this section may subject diagnostic breast breast examinations to the deductible requirement of the		
30	15–860.				
31	(a) This section	applie	es to:		

- 1 (1) insurers and nonprofit health service plans that provide hospital, 2 medical, or surgical benefits to individuals or groups on an expense—incurred basis under 3 health insurance policies or contracts that are issued or delivered in the State; and
- 4 (2) health maintenance organizations that provide hospital, medical, or surgical benefits to individuals or groups under contracts that are issued or delivered in the State.
- 7 (b) (1) An entity subject to this section shall provide coverage for 8 recommended LUNG CANCER SCREENING OR follow—up diagnostic imaging to assist in 9 the diagnosis of lung cancer for individuals for which lung cancer screening OR FOLLOW—UP DIAGNOSTIC IMAGING is recommended by the U.S. Preventative Services 11 Task Force.
- 12 (2) The coverage required under paragraph (1) of this subsection:

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13 **(I)** shall include diagnostic ultrasound, magnetic resonance 14 imaging, computed tomography, and image—guided biopsy; **AND** 

### (II) MAY NOT REQUIRE PRIOR AUTHORIZATION.

- 16 (c) (1) Except as provided in paragraph (2) of this subsection, an entity subject 17 to this section may not impose a copayment, coinsurance, or deductible requirement on 18 coverage for lung cancer screening [and diagnosis] OR FOLLOW-UP DIAGNOSTIC 19 IMAGING that is greater than the copay, coinsurance, or deductible requirement for breast 20 cancer screening [and] OR diagnosis.
- 21 (2) If an insured or enrollee is covered under a high-deductible health plan, 22 as defined in 26 U.S.C. § 223, an entity subject to this section may subject **LUNG CANCER** 23 **SCREENING OR** follow-up diagnostic lung imaging to the deductible requirement of the 24 high-deductible health plan.
- 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, 2025.
- SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2025.