

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

1 AN ACT concerning

2 **Health Insurance – Breast and Lung Cancer Screening – Coverage**
3 **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
10 maintenance organizations from requiring prior authorization for required coverage
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:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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
5 surgical benefits to individuals or groups under contracts that are issued or delivered in
6 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**
10 **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:

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

15 (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.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
26 policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or
27 after January 1, 2025.

28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 January 1, 2025.