

HOUSE BILL 1086

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5lr2839

By: Delegates Martinez, Pena–Melnyk, Alston, Lehman, Roberts, Taveras, Taylor, and ~~Turner~~ Turner, Bagnall, Bhandari, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kaiser, Kerr, Kipke, Lopez, M. Morgan, Reilly, Rosenberg, Ross, Szeliga, White Holland, Woods, and Woorman

Introduced and read first time: February 5, 2025

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 1, 2025

CHAPTER _____

1 AN ACT concerning

2 **Maryland Medical Assistance Program and Health Insurance – Coverage for**
3 **Anesthesia – Prohibiting Time Limitations**

4 FOR the purpose of requiring the Maryland Medical Assistance Program, managed care
5 organizations, and certain insurers, nonprofit health service plans, and health
6 maintenance organizations, if providing coverage for the delivery of anesthesia for a
7 procedure for which a licensed medical professional issues an order, to provide the
8 coverage in a certain manner; and generally relating to health insurance coverage
9 for the delivery of anesthesia.

10 BY adding to

11 Article – Health – General

12 Section 15–102.3(m), 15–103(a)(2)(xxv), and 15–157

13 Annotated Code of Maryland

14 (2023 Replacement Volume and 2024 Supplement)

15 BY repealing and reenacting, without amendments,

16 Article – Health – General

17 Section 15–103(a)(1)

18 Annotated Code of Maryland

19 (2023 Replacement Volume and 2024 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,
2 Article – Health – General
3 Section 15–103(a)(2)(xxiii) and (xxiv)
4 Annotated Code of Maryland
5 (2023 Replacement Volume and 2024 Supplement)

6 BY adding to
7 Article – Insurance
8 Section 15–861
9 Annotated Code of Maryland
10 (2017 Replacement Volume and 2024 Supplement)

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

13 **Article – Health – General**

14 15–102.3.

15 **(M) BEGINNING JANUARY 1, 2026, THE PROVISIONS OF § 15–861 OF THE**
16 **INSURANCE ARTICLE APPLY TO MANAGED CARE ORGANIZATIONS IN THE SAME**
17 **MANNER THAT THEY APPLY TO CARRIERS.**

18 15–103.

19 (a) (1) The Secretary shall administer the Maryland Medical Assistance
20 Program.

21 (2) The Program:

22 (xxiii) Beginning on July 1, 2025, shall provide, subject to the
23 limitations of the State budget, and as permitted by federal law, coverage for biomarker
24 testing in accordance with § 15–859 of the Insurance Article; [and]

25 (xxiv) Beginning on January 1, 2025, shall provide coverage for
26 prostheses in accordance with § 15–844 of the Insurance Article; AND

27 **(XXV) BEGINNING ON JANUARY 1, 2026, IF PROVIDING COVERAGE**
28 **FOR THE DELIVERY OF ANESTHESIA, SHALL PROVIDE COVERAGE FOR THE DELIVERY**
29 **OF ANESTHESIA IN ACCORDANCE WITH § 15–861 OF THE INSURANCE ARTICLE.**

30 15–157.

31 **IF THE PROGRAM COVERS THE DELIVERY OF ANESTHESIA FOR A PROCEDURE**
32 **FOR WHICH A LICENSED MEDICAL PROFESSIONAL ISSUES AN ORDER, THE**
33 **PROGRAM:**

1 (1) SHALL PROVIDE COVERAGE FOR ~~THE~~:

2 (I) THE DELIVERY OF ANESTHESIA FOR THE ENTIRE DURATION
3 OF THE PROCEDURE; AND

4 (II) MEDICAL CARE RELATED TO THE DELIVERY OF
5 ANESTHESIA FOR THE PROCEDURE THAT IS PROVIDED IMMEDIATELY BEFORE AND
6 AFTER THE PROCEDURE; AND

7 (2) MAY NOT ~~PLACE~~ ESTABLISH, IMPLEMENT, OR ENFORCE A POLICY,
8 PRACTICE, OR PROCEDURE THAT PLACES TIME LIMITATIONS ON THE DELIVERY OF
9 ANESTHESIA.

10 Article – Insurance

11 15-861.

12 (A) THIS SECTION APPLIES TO:

13 (1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT
14 PROVIDE HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS
15 ON AN EXPENSE-INCURRED BASIS UNDER HEALTH INSURANCE POLICIES OR
16 CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE; AND

17 (2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE
18 HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS UNDER
19 CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.

20 (B) AN ENTITY SUBJECT TO THIS SECTION THAT COVERS THE DELIVERY OF
21 ANESTHESIA FOR A PROCEDURE FOR WHICH A LICENSED MEDICAL PROFESSIONAL
22 ISSUES AN ORDER:

23 (1) SHALL PROVIDE COVERAGE FOR:

24 (I) THE DELIVERY OF ANESTHESIA FOR THE ENTIRE DURATION
25 OF THE PROCEDURE; AND

26 (II) MEDICAL CARE RELATED TO THE DELIVERY OF ANESTHESIA
27 FOR THE PROCEDURE THAT IS PROVIDED IMMEDIATELY BEFORE AND AFTER THE
28 PROCEDURE; AND

1 **(2) MAY NOT ~~PLACE~~ ESTABLISH, IMPLEMENT, OR ENFORCE A POLICY,**
 2 **PRACTICE, OR PROCEDURE THAT PLACES TIME LIMITATIONS ON THE DELIVERY OF**
 3 **ANESTHESIA.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
 5 policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or
 6 after January 1, 2026.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
 8 January 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.