

HOUSE BILL 1301

J5, J1, J4

5lr3342

By: **Delegate Rosenberg**

Introduced and read first time: February 7, 2025

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program, Maryland Children’s Health Program,**
3 **and Health Insurance – Transfers to Special Pediatric Hospitals – Prior**
4 **Authorizations**

5 FOR the purpose of prohibiting the Maryland Medical Assistance Program, the Maryland
6 Children’s Health Program, managed care organizations, and certain health
7 insurers, nonprofit health service plans, and health maintenance organizations from
8 requiring prior authorization for a transfer to a special pediatric hospital; and
9 generally relating to health insurance coverage for transfers to special pediatric
10 hospitals.

11 BY repealing and reenacting, without amendments,
12 Article – Health – General
13 Section 15–101(a), (c), and (h) and 15–103(a)(1)
14 Annotated Code of Maryland
15 (2023 Replacement Volume and 2024 Supplement)

16 BY adding to
17 Article – Health – General
18 Section 15–101(k), 15–102.3(m), 15–103(a)(2)(xxv), and 15–157
19 Annotated Code of Maryland
20 (2023 Replacement Volume and 2024 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Health – General
23 Section 15–101(k) and (l) and 15–103(a)(2)(xxiii) and (xxiv)
24 Annotated Code of Maryland
25 (2023 Replacement Volume and 2024 Supplement)

26 BY adding to
27 Article – Insurance

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 15–861
2 Annotated Code of Maryland
3 (2017 Replacement Volume and 2024 Supplement)

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

6 **Article – Health – General**

7 15–101.

8 (a) In this title the following words have the meanings indicated.

9 (c) “Facility” means a hospital or nursing facility including an intermediate care
10 facility, skilled nursing facility, comprehensive care facility, or extended care facility.

11 (h) “Program” means the Maryland Medical Assistance Program.

12 **(K) “SPECIAL PEDIATRIC HOSPITAL” MEANS A FACILITY THAT PROVIDES**
13 **NONACUTE MEDICAL, REHABILITATION, THERAPY, AND PALLIATIVE SERVICES TO**
14 **INDIVIDUALS:**

15 **(1) UNDER THE AGE OF 22 YEARS; OR**

16 **(2) WHO ARE AT LEAST 2 YEARS OLD AND UNDER THE AGE OF 23**
17 **YEARS AND HAVE CO-OCCURRING PHYSICAL AND BEHAVIORAL HEALTH**
18 **CONDITIONS.**

19 **[(k)] (L)** “Specialty mental health services” means any mental health services
20 other than primary mental health services.

21 **[(l)] (M)** “Validated home blood pressure monitor” means a blood pressure
22 measurement device that has been validated for accuracy and is listed in the U.S. Blood
23 Pressure Validated Device Listing.

24 15–102.3.

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

28 15–103.

29 (a) (1) The Secretary shall administer the Maryland Medical Assistance
30 Program.

1 (2) The Program:

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

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

7 **(XXV) BEGINNING ON JANUARY 1, 2026, SHALL PROVIDE**
8 **COVERAGE FOR A TRANSFER TO A SPECIAL PEDIATRIC HOSPITAL IN ACCORDANCE**
9 **WITH § 15–861 OF THE INSURANCE ARTICLE.**

10 **15–157.**

11 **THE PROGRAM AND THE MARYLAND CHILDREN’S HEALTH PROGRAM MAY**
12 **NOT REQUIRE PRIOR AUTHORIZATION FOR A TRANSFER TO A SPECIAL PEDIATRIC**
13 **HOSPITAL.**

14 **Article – Insurance**

15 **15–861.**

16 **(A) IN THIS SECTION, “SPECIAL PEDIATRIC HOSPITAL” HAS THE MEANING**
17 **STATED IN § 15–101 OF THE HEALTH – GENERAL ARTICLE.**

18 **(B) THIS SECTION APPLIES TO:**

19 **(1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT**
20 **PROVIDE HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS**
21 **ON AN EXPENSE–INCURRED BASIS UNDER HEALTH INSURANCE POLICIES OR**
22 **CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE; AND**

23 **(2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE**
24 **HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS UNDER**
25 **CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.**

26 **(C) AN ENTITY SUBJECT TO THIS SECTION MAY NOT REQUIRE PRIOR**
27 **AUTHORIZATION FOR A TRANSFER TO A SPECIAL PEDIATRIC HOSPITAL.**

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

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