

SENATE BILL 328

J1, J4, J5
SB 124/24 – FIN

5lr2074

By: **Senator Augustine**

Introduced and read first time: January 15, 2025

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program and Health Insurance – Annual**
3 **Behavioral Health Wellness Visits – Coverage and Reimbursement**

4 FOR the purpose of requiring the Maryland Medical Assistance Program and certain health
5 insurers, nonprofit health service plans, and health maintenance organizations to
6 provide coverage and certain reimbursement for annual behavioral health wellness
7 visits; and generally relating to coverage and reimbursement for behavioral health
8 care services.

9 BY adding to

10 Article – Health – General
11 Section 15–102.3(m) and 15–103(a)(2)(xxv)
12 Annotated Code of Maryland
13 (2023 Replacement Volume and 2024 Supplement)

14 BY repealing and reenacting, without amendments,

15 Article – Health – General
16 Section 15–103(a)(1)
17 Annotated Code of Maryland
18 (2023 Replacement Volume and 2024 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article – Health – General
21 Section 15–103(a)(2)(xxiii) and (xxiv)
22 Annotated Code of Maryland
23 (2023 Replacement Volume and 2024 Supplement)

24 BY adding to

25 Article – Insurance
26 Section 15–861
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2017 Replacement Volume and 2024 Supplement)

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

Article – Health – General

15–102.3.

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

15–103.

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

(2) The Program:

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

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

(XXV) BEGINNING ON JULY 1, 2026, SHALL PROVIDE COVERAGE FOR ANNUAL BEHAVIORAL HEALTH WELLNESS VISITS IN ACCORDANCE WITH § 15–861 OF THE INSURANCE ARTICLE.

Article – Insurance

15–861.

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

(2) “BEHAVIORAL HEALTH WELLNESS VISIT” MEANS A CLINICAL ENCOUNTER DURING WHICH A HEALTH CARE PRACTITIONER CONDUCTS AN ASSESSMENT TO IDENTIFY WHETHER A PATIENT MEETS CRITERIA FOR A PSYCHIATRIC OR SUBSTANCE USE DISORDER.

(3) “HEALTH CARE PRACTITIONER” MEANS AN INDIVIDUAL:

1 **(I) WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED**
2 **UNDER THE HEALTH OCCUPATIONS ARTICLE TO PRACTICE A HEALTH OCCUPATION;**
3 **AND**

4 **(II) WHOSE SCOPE OF PRACTICE INCLUDES THE PROVISION OF**
5 **MENTAL HEALTH AND SUBSTANCE USE DISORDER CARE SERVICES.**

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

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

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

14 **(C) (1) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE**
15 **COVERAGE FOR AN ANNUAL BEHAVIORAL HEALTH WELLNESS VISIT, REGARDLESS**
16 **OF THE ASSESSMENT RESULTING IN A BEHAVIORAL HEALTH DIAGNOSIS.**

17 **(2) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE**
18 **REIMBURSEMENT FOR AN ANNUAL BEHAVIORAL HEALTH WELLNESS VISIT ON THE**
19 **SAME BASIS AND AT THE SAME RATE AS AN ASSESSMENT THAT RESULTS IN A**
20 **BEHAVIORAL HEALTH DIAGNOSIS.**

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

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