# **SENATE BILL 328**

## J1, J4, J5 SB 124/24 - FIN

### By: Senator Augustine

Introduced and read first time: January 15, 2025 Assigned to: Finance

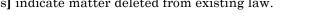
### A BILL ENTITLED

#### 1 AN ACT concerning

#### $\mathbf{2}$ 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  $\mathbf{5}$ 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
- Section 15–102.3(m) and 15–103(a)(2)(xxv) 11
- 12Annotated Code of Maryland
- 13 (2023 Replacement Volume and 2024 Supplement)
- 14BY repealing and reenacting, without amendments,
- 15Article – Health – General
- 16 Section 15 - 103(a)(1)
- 17Annotated Code of Maryland
- (2023 Replacement Volume and 2024 Supplement) 18
- 19BY repealing and reenacting, with amendments,
- 20Article – Health – General
- 21Section 15–103(a)(2)(xxiii) and (xxiv)
- 22Annotated Code of Maryland
- (2023 Replacement Volume and 2024 Supplement) 23
- 24BY adding to
- 25Article – Insurance
- 26Section 15-861
- 27Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.



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	2 SENATE BILL 328
1	(2017 Replacement Volume and 2024 Supplement)
$\frac{2}{3}$	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
4	Article – Health – General
5	15–102.3.
6 7 8	(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.
9	15–103.
$\begin{array}{c} 10\\ 11 \end{array}$	(a) (1) The Secretary shall administer the Maryland Medical Assistance Program.
12	(2) The Program:
$13 \\ 14 \\ 15$	(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]
$\frac{16}{17}$	(xxiv) Beginning on January 1, 2025, shall provide coverage for prostheses in accordance with § 15–844 of the Insurance Article; AND
18 19 20	(XXV) BEGINNING ON JULY 1, 2026, SHALL PROVIDE COVERAGE FOR ANNUAL BEHAVIORAL HEALTH WELLNESS VISITS IN ACCORDANCE WITH § 15-861 OF THE INSURANCE ARTICLE.
21	Article – Insurance
22	15-861.
$\frac{23}{24}$	(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.
25 26 27 28	(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.
29	(3) "HEALTH CARE PRACTITIONER" MEANS AN INDIVIDUAL:

1(I)WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED2UNDER THE HEALTH OCCUPATIONS ARTICLE TO PRACTICE A HEALTH OCCUPATION;3AND

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.

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, 2026.

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

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