

SENATE BILL 476

J5, J4

5lr1399
CF 5lr1400

By: **Senator Beidle**

Introduced and read first time: January 22, 2025

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Genetic Testing and Cancer Imaging – Required Coverage**
3 **and Prohibited Cost-Sharing**

4 FOR the purpose of requiring certain insurers, nonprofit health service plans, and health
5 maintenance organizations to provide coverage for genetic testing for certain
6 individuals who may have an increased risk of developing cancer and follow-up
7 evidence-based cancer imaging for individuals with an increased risk of developing
8 cancer; prohibiting certain insurers, nonprofit health service plans, and health
9 maintenance organizations from imposing a copayment, coinsurance, or deductible
10 requirement on coverage for genetic testing and follow-up evidence-based cancer
11 imaging; and generally relating to health insurance coverage for genetic testing and
12 cancer imaging.

13 BY adding to

14 Article – Insurance

15 Section 15–861

16 Annotated Code of Maryland

17 (2017 Replacement Volume and 2024 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 **15–861.**

22 **(A) THIS SECTION APPLIES TO:**

23 **(1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT**
24 **PROVIDE HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ON AN EXPENSE-INCURRED BASIS UNDER HEALTH INSURANCE POLICIES OR
2 CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE; AND

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

6 (B) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR:

7 (1) GENETIC TESTING TO IDENTIFY WHETHER AN INDIVIDUAL WITH A
8 PERSONAL OR FAMILY HISTORY OF CANCER HAS AN INHERITED MUTATION
9 ASSOCIATED WITH AN INCREASED RISK OF CANCER IF THE GENETIC TESTING IS:

10 (I) RECOMMENDED BY A HEALTH CARE PROFESSIONAL; AND

11 (II) CONSISTENT WITH EVIDENCE-BASED, CLINICAL PRACTICE
12 GUIDELINES; AND

13 (2) IF AN INDIVIDUAL WHO UNDERGOES GENETIC TESTING FOR
14 WHICH COVERAGE IS PROVIDED UNDER ITEM (1) OF THIS SUBSECTION IS
15 DETERMINED TO BE AT AN INCREASED RISK OF DEVELOPING CANCER, FOLLOW-UP
16 EVIDENCE-BASED CANCER IMAGING THAT:

17 (I) IS RECOMMENDED FOR THE TYPE OF CANCER IDENTIFIED
18 BY THE GENETIC TESTING; AND

19 (II) USES MODALITIES ESTABLISHED IN THE MOST RECENT
20 VERSION OF THE NATIONAL COMPREHENSIVE CANCER NETWORK CLINICAL
21 PRACTICE GUIDELINES IN ONCOLOGY.

22 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
23 AN ENTITY SUBJECT TO THIS SECTION MAY NOT IMPOSE A COPAYMENT,
24 COINSURANCE, OR DEDUCTIBLE REQUIREMENT ON COVERAGE FOR GENETIC
25 TESTING OR FOLLOW-UP EVIDENCE-BASED CANCER IMAGING AS DESCRIBED IN
26 SUBSECTION (B) OF THIS SECTION.

27 (2) (I) IF THE APPLICATION OF THE REQUIREMENTS UNDER
28 PARAGRAPH (1) OF THIS SUBSECTION WOULD RESULT IN HEALTH SAVINGS
29 ACCOUNT INELIGIBILITY UNDER 26 U.S.C. § 223, THE REQUIREMENT SHALL APPLY
30 TO THE HEALTH SAVINGS ACCOUNT-QUALIFIED HIGH DEDUCTIBLE HEALTH PLANS
31 WITH RESPECT TO THE DEDUCTIBLE OF THE PLAN AFTER THE BENEFICIARY
32 SATISFIES THE MINIMUM DEDUCTIBLE UNDER 26 U.S.C. § 223.

1 **(II) FOR ITEMS OR SERVICES THAT ARE PREVENTIVE CARE IN**
2 **ACCORDANCE WITH 26 U.S.C. § 223(C)(2)(C), THE REQUIREMENTS OF THIS**
3 **SUBSECTION SHALL APPLY REGARDLESS OF WHETHER THE BENEFICIARY STATUS**
4 **SATISFIES THE MINIMUM DEDUCTIBLE UNDER 26 U.S.C. § 223.**

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

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