

Chapter 612

(House Bill 1301)

AN ACT concerning

**Maryland Medical Assistance Program, Maryland Children's Health Program,
and Health Insurance – Transfers to Special Pediatric Hospitals – Prior
Authorizations**

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

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

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

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

BY adding to
Article – Insurance
Section 15–861
Annotated Code of Maryland
(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

15–101.

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

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

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

(K) “SPECIAL PEDIATRIC HOSPITAL” MEANS A FACILITY IN THE STATE THAT PROVIDES NONACUTE MEDICAL, REHABILITATION, THERAPY, AND PALLIATIVE SERVICES TO INDIVIDUALS:

(1) UNDER THE AGE OF 22 YEARS; OR

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

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

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

15–102.3.

(M) BEGINNING JANUARY 1, 2026, THE PROVISIONS OF § 15–861 OF THE INSURANCE ARTICLE APPLY TO MANAGED CARE ORGANIZATIONS IN THE SAME MANNER THAT 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 JANUARY 1, 2026, SHALL PROVIDE COVERAGE FOR A TRANSFER TO A SPECIAL PEDIATRIC HOSPITAL IN ACCORDANCE WITH § 15-861 OF THE INSURANCE ARTICLE.

15-157.

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

Article – Insurance

15-861.

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

(B) THIS SECTION APPLIES TO:

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

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

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

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.

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

Approved by the Governor, May 20, 2025.