

Chapter 683

(House Bill 1086)

AN ACT concerning

Maryland Medical Assistance Program and Health Insurance – Coverage for Anesthesia – Prohibiting Time Limitations

FOR the purpose of requiring the Maryland Medical Assistance Program, managed care organizations, and certain insurers, nonprofit health service plans, and health maintenance organizations, if providing coverage for the delivery of anesthesia for a procedure for which a licensed medical professional issues an order, to provide the coverage in a certain manner; and generally relating to health insurance coverage for the delivery of anesthesia.

BY adding to

Article – Health – General
Section 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, without amendments,

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

BY repealing and reenacting, with amendments,

Article – Health – General
Section 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

15–102.3.

(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, IF PROVIDING COVERAGE FOR THE DELIVERY OF ANESTHESIA, SHALL PROVIDE COVERAGE FOR THE DELIVERY OF ANESTHESIA IN ACCORDANCE WITH § 15–861 OF THE INSURANCE ARTICLE.

15–157.

IF THE PROGRAM COVERS THE DELIVERY OF ANESTHESIA FOR A PROCEDURE FOR WHICH A LICENSED MEDICAL PROFESSIONAL ISSUES AN ORDER, THE PROGRAM:

(1) SHALL PROVIDE COVERAGE FOR ~~THE~~:

(I) THE DELIVERY OF ANESTHESIA FOR THE ENTIRE DURATION OF THE PROCEDURE; AND

(II) MEDICAL CARE RELATED TO THE DELIVERY OF ANESTHESIA FOR THE PROCEDURE THAT IS PROVIDED IMMEDIATELY BEFORE AND AFTER THE PROCEDURE; AND

(2) MAY NOT ~~PLACE~~ ESTABLISH, IMPLEMENT, OR ENFORCE A POLICY, PRACTICE, OR PROCEDURE THAT PLACES TIME LIMITATIONS ON THE DELIVERY OF ANESTHESIA.

Article – Insurance

15–861.

(A) 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.

(B) AN ENTITY SUBJECT TO THIS SECTION THAT COVERS THE DELIVERY OF ANESTHESIA FOR A PROCEDURE FOR WHICH A LICENSED MEDICAL PROFESSIONAL ISSUES AN ORDER:

(1) SHALL PROVIDE COVERAGE FOR:

(I) THE DELIVERY OF ANESTHESIA FOR THE ENTIRE DURATION OF THE PROCEDURE; AND

(II) MEDICAL CARE RELATED TO THE DELIVERY OF ANESTHESIA FOR THE PROCEDURE THAT IS PROVIDED IMMEDIATELY BEFORE AND AFTER THE PROCEDURE; AND

(2) MAY NOT PLACE ESTABLISH, IMPLEMENT, OR ENFORCE A POLICY, PRACTICE, OR PROCEDURE THAT PLACES TIME LIMITATIONS ON THE DELIVERY OF ANESTHESIA.

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.