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By: **Senator Lam**

Introduced and read first time: February 3, 2022

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance - Home Test Kits for Sexually Transmitted Diseases -**  
3 **Required Coverage**

4 FOR the purpose of requiring certain health insurance policies and contracts to provide  
5 coverage for the purchase of home test kits to test for sexually transmitted diseases  
6 and related laboratory costs if the home test kit is ordered by ~~an in-network~~ a provider  
7 under certain circumstances; and generally relating to health insurance coverage for  
8 home test kits to test for sexually transmitted diseases.

9 BY adding to  
10 Article - Insurance  
11 Section 15-857  
12 Annotated Code of Maryland  
13 (2017 Replacement Volume and 2021 Supplement)

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

16 **Article - Insurance**

17 **15-857.**

18 **(A) IN THIS SECTION, "HOME TEST KIT" MEANS A PRODUCT THAT:**

19 **(1) IS USED BY AN INDIVIDUAL TO SELF-COLLECT SPECIMENS TO**  
20 **TEST FOR SEXUALLY TRANSMITTED DISEASES, INCLUDING THE HUMAN**  
21 **IMMUNODEFICIENCY VIRUS, AT A LOCATION THAT IS NOT A CLINICAL SETTING;**

22 **(2) IS RECOMMENDED BY:**

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2  
1 (I) THE FEDERAL CENTERS FOR DISEASE CONTROL AND  
2 PREVENTION GUIDELINES; OR

3 (II) THE UNITED STATES PREVENTATIVE SERVICES TASK  
4 FORCE; AND

5 (3) (i) HAS A CLINICAL LABORATORY IMPROVEMENT  
6 AMENDMENT WAIVER;

7 (ii) IS CLEARED OR APPROVED BY THE FEDERAL FOOD AND  
8 DRUG ADMINISTRATION; OR

9 (iii) IS DEVELOPED BY A LABORATORY IN ACCORDANCE WITH  
10 ESTABLISHED REGULATIONS AND QUALITY STANDARDS.

11 (B) THIS SECTION APPLIES TO ~~EACH INDIVIDUAL, GROUP, OR BLANKET~~  
12 ~~HEALTH INSURANCE POLICY OR CONTRACT THAT IS ISSUED OR DELIVERED IN THE~~  
13 ~~STATE BY AN INSURER OR A NONPROFIT HEALTH SERVICE PLAN :~~

(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.

14 (c) A POLICY OR CONTRACT SUBJECT TO THIS SECTION SHALL PROVIDE  
15 COVERAGE FOR:

16 (1) THE PURCHASE OF A HOME TEST KIT IF:

17 (i) ~~AN IN-NETWORK~~ A PROVIDER DETERMINES THE HOME TEST  
18 KIT IS MEDICALLY NECESSARY OR APPROPRIATE AND ORDERS THE TEST KIT FOR AN  
19 INSURED OR ENROLLEE; OR

20 (ii) ~~AN IN-NETWORK~~ A PROVIDER ISSUES A STANDING ORDER FOR  
21 THE TEST KIT FOR USE BY AN INSURED OR ENROLLEE BASED ON CLINICAL  
22 GUIDELINES AND THE INDIVIDUAL HEALTH NEEDS OF THE INSURED OR ENROLLEE;  
23 AND

24 (2) LABORATORY COSTS FOR PROCESSING THE HOME TEST KIT.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all  
26 policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or  
27 after January 1, 2023.

28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 January 1, 2023.