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Date: February 6, 2025

Bill # / Title: House Bill 459 - Health Insurance – Cancer Screening for Professional Firefighters – Required Coverage (James “Jimmy” Malone Act)

Committee: House Health and Government Operations Committee

Position: Letter of Information

The Maryland Insurance Administration (MIA) appreciates the opportunity to provide information regarding House Bill 459.

The bill creates a new insurance mandate to allow professional firefighters to receive preventative cancer screenings without cost-sharing requirements in accordance with the latest screening guidelines issued by the International Association of Firefighters. The bill extends this coverage requirement to include self-insured employee health benefit plans offered by a county or municipality, as well as those in the State Employee and Retiree Health Plan.

House Bill 459 establishes a requirement that pertains specifically to members of a certain profession. This approach may create challenges for carriers in terms of compliance, and for the MIA in enforcement, due to the need to identify whether applicants or their dependents are firefighters and eligible for the referenced benefits. The MIA is willing to provide additional feedback and comments on any amendments to the bill that are drafted to address identification of individuals eligible for the mandated benefit established by the bill.

Further, House Bill 459 mandates that preventive cancer screenings align with the latest guidelines from the International Association of Fire Fighters (IAFF), which often coincide with existing federal and state laws, creating potential overlapping requirements. These potentially duplicative mandates could increase administrative costs for insurance carriers in determining eligibility and applicable mandates for firefighters.

The MIA notes that as drafted, the bill would only apply to a limited subset of the targeted insured population - namely those in the large group market and the individual grandfathered market. This is because current Maryland law specifies that mandates required after December 31, 2011 are not applicable to the non-grandfathered individual and small employer markets if the mandates are not included in the State benchmark plan for Essential Health Benefits. Several

of the screening requirements listed in the bill are new mandates -- meaning that, if it is the sponsor's intent is for the new mandate to apply to the non-grandfathered individual and small employer markets, the bill would need to include express text indicating that it applies to these markets "irrespective of § 31-116(a), (c), and (d)" of the Maryland Insurance Article. However, making this change would then have the effect of triggering Affordable Care Act (ACA) defrayal requirements – meaning that the State would have to cover the costs for any new mandates that go beyond the State's benchmark plan.

Finally, the MIA notes that the bill also establishes new requirements for self-insured counties or municipalities in Maryland, which may have unintended consequences, including impacting the grandfathered status of some plans.

Thank you for the opportunity to provide this letter of information. The MIA is available to provide additional information and assistance to the committee.