

HOUSE BILL 848

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CF SB 474

By: **Delegates Pena–Melnyk, Bagnall, Cullison, Kerr, and Rosenberg**

Introduced and read first time: January 30, 2025

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Adverse Decisions – Reporting and Examinations**

3 FOR the purpose of requiring certain carriers to provide certain information to the
4 Maryland Insurance Commissioner on adverse decisions on types of services that
5 have grown by more than certain percentages over certain periods of time;
6 authorizing the Commissioner to use certain adverse decision information as the
7 basis of a certain examination; and generally relating to health insurance and
8 adverse decisions.

9 BY repealing and reenacting, with amendments,
10 Article – Insurance
11 Section 15–10A–06
12 Annotated Code of Maryland
13 (2017 Replacement Volume and 2024 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 15–10A–06.

18 (a) **(1)** On a quarterly basis, each carrier shall submit to the Commissioner, on
19 the form the Commissioner requires, a report that describes:

20 **[(1)] (I)** the number of members entitled to health care benefits under a
21 policy, plan, or certificate issued or delivered in the State by the carrier;

22 **[(2)] (II)** the number of clean claims for reimbursement processed by the
23 carrier;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 [(3)] (III) the activities of the carrier under this subtitle, including:

2 [(i)] 1. the outcome of each grievance filed with the carrier;

3 [(ii)] 2. the number and outcomes of cases that were considered
4 emergency cases under § 15-10A-02(b)(2)(i) of this subtitle;

5 [(iii)] 3. the time within which the carrier made a grievance
6 decision on each emergency case;

7 [(iv)] 4. the time within which the carrier made a grievance
8 decision on all other cases that were not considered emergency cases;

9 [(v)] 5. the number of grievances filed with the carrier that
10 resulted from an adverse decision involving length of stay for inpatient hospitalization as
11 related to the medical procedure involved;

12 [(vi)] 6. the number of adverse decisions issued by the carrier
13 under § 15-10A-02(f) of this subtitle, whether the adverse decision involved a prior
14 authorization or step therapy protocol, and the type of service at issue in the adverse
15 decisions;

16 [(vii)] 7. the number of adverse decisions overturned after a
17 reconsideration request under § 15-10B-06 of this title; and

18 [(viii)] 8. the number of requests made and granted under §
19 15-831(c)(1) and (2) of this title; and

20 [(4)] (IV) the number and outcome of all other cases that are not subject to
21 activities of the carrier under this subtitle that resulted from an adverse decision involving
22 the length of stay for inpatient hospitalization as related to the medical procedure involved.

23 (2) IF THE NUMBER OF ADVERSE DECISIONS ISSUED BY A CARRIER
24 FOR A TYPE OF SERVICE HAS GROWN BY MORE THAN 10% IN THE IMMEDIATELY
25 PRECEDING CALENDAR YEAR OR 25% IN THE IMMEDIATELY PRECEDING 3
26 CALENDAR YEARS, THE CARRIER SHALL SUBMIT IN THE REPORT REQUIRED UNDER
27 PARAGRAPH (1) OF THIS SUBSECTION:

28 (I) A DESCRIPTION OF ANY CHANGES IN MEDICAL
29 MANAGEMENT CONTRIBUTING TO THE RISE IN ADVERSE DECISIONS FOR THE TYPE
30 OF SERVICE; AND

31 (II) ANY OTHER KNOWN REASONS FOR THE INCREASE.

1 (b) The Commissioner shall:

2 (1) compile an annual summary report based on the information provided:

3 (i) under subsection (a) of this section; and

4 (ii) by the Secretary under § 19–705.2(e) of the Health – General
5 Article;

6 (2) report any violations or actions taken under § 15–10B–11 of this title;
7 and

8 (3) provide copies of the summary report to the Governor and, subject to §
9 2–1257 of the State Government Article, to the General Assembly.

10 **(C) THE COMMISSIONER MAY USE INFORMATION PROVIDED UNDER**
11 **SUBSECTION (A) OF THIS SECTION AS THE BASIS FOR AN EXAMINATION UNDER**
12 **TITLE 2, SUBTITLE 2 OF THIS ARTICLE.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2025.