

SENATE BILL 124

J4, J5, J1

(PRE-FILED)

4r0855
CF 4r1592

By: **Senator Augustine**

Requested: October 4, 2023

Introduced and read first time: January 10, 2024

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program and Health Insurance – Annual**
3 **Behavioral Health Wellness Visits – Coverage and Reimbursement**

4 FOR the purpose of requiring the Maryland Medical Assistance Program and certain health
5 insurers, nonprofit health service plans, and health maintenance organizations to
6 provide coverage and certain reimbursement for annual behavioral health wellness
7 visits; and generally relating to coverage and reimbursement for behavioral health
8 care services.

9 BY adding to

10 Article – Health – General
11 Section 15–102.3(m) and 15–103(a)(2)(xxiv)
12 Annotated Code of Maryland
13 (2023 Replacement Volume)

14 BY repealing and reenacting, without amendments,

15 Article – Health – General
16 Section 15–103(a)(1)
17 Annotated Code of Maryland
18 (2023 Replacement Volume)

19 BY repealing and reenacting, with amendments,

20 Article – Health – General
21 Section 15–103(a)(2)(xxii) and (xxiii)
22 Annotated Code of Maryland
23 (2023 Replacement Volume)

24 BY adding to

25 Article – Insurance
26 Section 15–861

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2017 Replacement Volume and 2023 Supplement)

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

5 **Article – Health – General**

6 15–102.3.

7 **(M) BEGINNING JULY 1, 2025, THE PROVISIONS OF § 15–861 OF THE**
8 **INSURANCE ARTICLE APPLY TO MANAGED CARE ORGANIZATIONS IN THE SAME**
9 **MANNER THEY APPLY TO CARRIERS.**

10 15–103.

11 (a) (1) The Secretary shall administer the Maryland Medical Assistance
12 Program.

13 (2) The Program:

14 (xxii) Beginning on January 1, 2024, shall provide gender–affirming
15 treatment in accordance with § 15–151 of this subtitle; [and]

16 (xxiii) Beginning on July 1, 2025, shall provide, subject to the
17 limitations of the State budget, and as permitted by federal law, coverage for biomarker
18 testing in accordance with § 15–859 of the Insurance Article; AND

19 **(XXIV) BEGINNING ON JULY 1, 2025, SHALL PROVIDE**
20 **COVERAGE FOR ANNUAL BEHAVIORAL HEALTH WELLNESS VISITS IN THE MANNER**
21 **DESCRIBED IN § 15–861 OF THE INSURANCE ARTICLE.**

22 **Article – Insurance**

23 **15–861.**

24 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
25 **INDICATED.**

26 **(2) “BEHAVIORAL HEALTH WELLNESS VISIT” MEANS A CLINICAL**
27 **ENCOUNTER DURING WHICH A HEALTH CARE PRACTITIONER CONDUCTS AN**
28 **ASSESSMENT TO IDENTIFY WHETHER A PATIENT MEETS CRITERIA FOR A**
29 **PSYCHIATRIC OR SUBSTANCE USE DISORDER.**

30 **(3) “HEALTH CARE PRACTITIONER” MEANS AN INDIVIDUAL:**

1 **(I) WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED**
2 **UNDER THE HEALTH OCCUPATIONS ARTICLE TO PRACTICE A HEALTH OCCUPATION;**
3 **AND**

4 **(II) WHOSE SCOPE OF PRACTICE INCLUDES THE PROVISION OF**
5 **MENTAL HEALTH AND SUBSTANCE USE DISORDER CARE SERVICES.**

6 **(B) THIS SECTION APPLIES TO:**

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

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

14 **(C) (1) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE**
15 **COVERAGE FOR AN ANNUAL BEHAVIORAL HEALTH WELLNESS VISIT, REGARDLESS**
16 **OF THE ASSESSMENT RESULTING IN A BEHAVIORAL HEALTH DIAGNOSIS.**

17 **(2) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE**
18 **REIMBURSEMENT FOR AN ANNUAL BEHAVIORAL HEALTH WELLNESS VISIT ON THE**
19 **SAME BASIS AND AT THE SAME RATE AS AN ASSESSMENT THAT RESULTS IN A**
20 **BEHAVIORAL HEALTH DIAGNOSIS.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
22 policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or
23 after January 1, 2025.

24 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 January 1, 2025.