

SENATE BILL 385

C3

8lr1338
CF HB 282

By: **Senators Mathias, King, Manno, Middleton, and Peters**

Introduced and read first time: January 25, 2018

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Coverage for Diagnostic Examinations for Breast Cancer**

3 FOR the purpose of prohibiting insurers, nonprofit health service plans, and health
4 maintenance organizations that provide coverage for diagnostic examinations for
5 breast cancer under certain policies or contracts from imposing certain cost-sharing
6 requirements on coverage for diagnostic examinations for breast cancer that are less
7 favorable to an insured or enrollee than the cost-sharing requirements that apply to
8 coverage for breast cancer screenings; defining certain terms; providing for the
9 application of this Act; providing for a delayed effective date; and generally relating
10 to health insurance coverage for diagnostic examinations for breast cancer.

11 BY adding to
12 Article – Insurance
13 Section 15–814.1
14 Annotated Code of Maryland
15 (2017 Replacement Volume)

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

18 **Article – Insurance**

19 **15–814.1.**

20 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
21 INDICATED.

22 (2) “BREAST ULTRASOUND” MEANS A NONINVASIVE DIAGNOSTIC
23 TOOL THAT USES HIGH-FREQUENCY SOUND WAVES TO PRODUCE DETAILED IMAGES
24 OF THE BREAST.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) (I) “DIAGNOSTIC EXAMINATION FOR BREAST CANCER” MEANS**
2 **AN EXAMINATION TO EVALUATE AN ABNORMALITY IN A BREAST THAT IS:**

3 **1. SEEN ON OR SUSPECTED FROM A BREAST CANCER**
4 **SCREENING MAMMOGRAM; OR**

5 **2. DETECTED BY ANOTHER MEANS OF EXAMINATION.**

6 **(II) “DIAGNOSTIC EXAMINATION FOR BREAST CANCER”**
7 **INCLUDES AN EXAMINATION TO EVALUATE AN ABNORMALITY IN A BREAST USING A**
8 **BREAST ULTRASOUND OR MAMMOGRAPHY.**

9 **(4) “MAMMOGRAM” MEANS A RADIOGRAPHIC IMAGE PRODUCED**
10 **THROUGH MAMMOGRAPHY.**

11 **(5) “MAMMOGRAPHY” MEANS THE IMAGING OF THE BREAST WITH**
12 **IONIZING RADIATION.**

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

14 **(1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT**
15 **PROVIDE COVERAGE FOR BOTH BREAST CANCER SCREENING AND DIAGNOSTIC**
16 **EXAMINATIONS FOR BREAST CANCER UNDER HEALTH INSURANCE POLICIES OR**
17 **CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE; AND**

18 **(2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE**
19 **COVERAGE FOR BOTH BREAST CANCER SCREENING AND DIAGNOSTIC**
20 **EXAMINATIONS FOR BREAST CANCER UNDER CONTRACTS THAT ARE ISSUED OR**
21 **DELIVERED IN THE STATE.**

22 **(C) AN ENTITY SUBJECT TO THIS SECTION MAY NOT IMPOSE DEDUCTIBLE,**
23 **COPAYMENT, OR COINSURANCE REQUIREMENTS ON COVERAGE FOR DIAGNOSTIC**
24 **EXAMINATIONS FOR BREAST CANCER THAT ARE LESS FAVORABLE TO AN INSURED**
25 **OR ENROLLEE THAN THE DEDUCTIBLE, COPAYMENT, OR COINSURANCE**
26 **REQUIREMENTS THAT APPLY TO COVERAGE FOR BREAST CANCER SCREENINGS.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
28 policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or
29 after January 1, 2019.

30 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 January 1, 2019.