

HOUSE BILL 847

C3
HB 667/17 – HGO

8lr3174

By: ~~Delegate Carr~~ Delegates Carr, Pendergrass, Bromwell, Angel, Barron, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young

Introduced and read first time: February 2, 2018

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2018

CHAPTER _____

1 AN ACT concerning

2 **Health Insurance – Coverage for Lymphedema Diagnosis, Evaluation, and**
3 **Treatment**

4 FOR the purpose of requiring insurers, nonprofit health service plans, and health
5 maintenance organizations that provide certain health insurance benefits under
6 certain insurance policies or contracts to provide coverage for certain diagnosis,
7 evaluation, and treatment of lymphedema; providing that the required coverage may
8 be subject to certain deductibles, copayments, and coinsurance; providing for the
9 application of this Act; defining a certain term; providing for a delayed effective date;
10 and generally relating to coverage for lymphedema diagnosis, evaluation, and
11 treatment under health insurance.

12 BY adding to
13 Article – Insurance
14 Section 15–853
15 Annotated Code of Maryland
16 (2017 Replacement Volume)

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

19 **Article – Insurance**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 15-853.

2 (A) (1) IN THIS SECTION, "GRADIENT COMPRESSION GARMENT" MEANS A
3 GARMENT THAT:

4 (I) IS USED FOR THE TREATMENT OF LYMPHEDEMA;

5 (II) REQUIRES A PRESCRIPTION; AND

6 (III) IS CUSTOM FIT FOR THE INDIVIDUAL FOR WHOM THE
7 GARMENT IS PRESCRIBED.

8 (2) "GRADIENT COMPRESSION GARMENT" DOES NOT INCLUDE
9 DISPOSABLE MEDICAL SUPPLIES, INCLUDING OVER-THE-COUNTER COMPRESSION
10 OR ELASTIC KNEE-HIGH OR OTHER STOCKING PRODUCTS.

11 (B) THIS SECTION APPLIES TO:

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

16 (2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE
17 HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS UNDER
18 CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.

19 (C) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR
20 THE MEDICALLY NECESSARY DIAGNOSIS, EVALUATION, AND TREATMENT OF
21 LYMPHEDEMA, INCLUDING EQUIPMENT, SUPPLIES, COMPLEX DECONGESTIVE
22 THERAPY, GRADIENT COMPRESSION GARMENTS, AND SELF-MANAGEMENT
23 TRAINING AND EDUCATION.

24 (D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
25 COVERAGE REQUIRED UNDER THIS SECTION MAY BE SUBJECT TO THE ANNUAL
26 DEDUCTIBLES, COPAYMENTS, OR COINSURANCE REQUIREMENTS IMPOSED BY AN
27 ENTITY SUBJECT TO THIS SECTION FOR SIMILAR COVERAGES UNDER THE SAME
28 HEALTH INSURANCE POLICY OR CONTRACT.

29 (2) THE ANNUAL DEDUCTIBLES, COPAYMENTS, OR COINSURANCE
30 REQUIREMENTS IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR THE
31 COVERAGE REQUIRED UNDER THIS SECTION MAY NOT BE GREATER THAN THE

1 ANNUAL DEDUCTIBLES, COPAYMENTS, OR COINSURANCE REQUIREMENTS IMPOSED
2 BY THE ENTITY FOR SIMILAR COVERAGES.

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.