

SENATE BILL 634

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By: **Senator Lam**

Introduced and read first time: February 3, 2022

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Home Test Kits for Sexually Transmitted Diseases –**
3 **Required Coverage**

4 FOR the purpose of requiring certain health insurance policies and contracts to provide
5 coverage for the purchase of home test kits to test for sexually transmitted diseases
6 and related laboratory costs if the home test kit is ordered by an in-network provider
7 under certain circumstances; and generally relating to health insurance coverage for
8 home test kits to test for sexually transmitted diseases.

9 BY adding to
10 Article – Insurance
11 Section 15–857
12 Annotated Code of Maryland
13 (2017 Replacement Volume and 2021 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 **15–857.**

18 **(A) IN THIS SECTION, “HOME TEST KIT” MEANS A PRODUCT THAT:**

19 **(1) IS USED BY AN INDIVIDUAL TO SELF-COLLECT SPECIMENS TO**
20 **TEST FOR SEXUALLY TRANSMITTED DISEASES, INCLUDING THE HUMAN**
21 **IMMUNODEFICIENCY VIRUS, AT A LOCATION THAT IS NOT A CLINICAL SETTING;**

22 **(2) IS RECOMMENDED BY:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(I) THE FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION GUIDELINES; OR

(II) THE UNITED STATES PREVENTATIVE SERVICES TASK FORCE; AND

(3) (I) HAS A CLINICAL LABORATORY IMPROVEMENT AMENDMENT WAIVER;

(II) IS CLEARED OR APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION; OR

(III) IS DEVELOPED BY A LABORATORY IN ACCORDANCE WITH ESTABLISHED REGULATIONS AND QUALITY STANDARDS.

(B) THIS SECTION APPLIES TO EACH INDIVIDUAL, GROUP, OR BLANKET HEALTH INSURANCE POLICY OR CONTRACT THAT IS ISSUED OR DELIVERED IN THE STATE BY AN INSURER OR A NONPROFIT HEALTH SERVICE PLAN.

(C) A POLICY OR CONTRACT SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR:

(1) THE PURCHASE OF A HOME TEST KIT IF:

(I) AN IN-NETWORK PROVIDER DETERMINES THE HOME TEST KIT IS MEDICALLY NECESSARY OR APPROPRIATE AND ORDERS THE TEST KIT FOR AN INSURED OR ENROLLEE; OR

(II) AN IN-NETWORK PROVIDER ISSUES A STANDING ORDER FOR THE TEST KIT FOR USE BY AN INSURED OR ENROLLEE BASED ON CLINICAL GUIDELINES AND THE INDIVIDUAL HEALTH NEEDS OF THE INSURED OR ENROLLEE; AND

(2) LABORATORY COSTS FOR PROCESSING THE HOME TEST KIT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or after January 1, 2023.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2023.