

HOUSE BILL 1086

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5lr2839

By: Delegates Martinez, Pena–Melnik, Alston, Lehman, Roberts, Taveras, Taylor, and ~~Turner~~ Turner, Bagnall, Bhandari, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kaiser, Kerr, Kipke, Lopez, M. Morgan, Reilly, Rosenberg, Ross, Szeliga, White Holland, Woods, and Woorman

Introduced and read first time: February 5, 2025

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 1, 2025

CHAPTER _____

1 AN ACT concerning

2 **Maryland Medical Assistance Program and Health Insurance – Coverage for**
3 **Anesthesia – Prohibiting Time Limitations**

4 FOR the purpose of requiring the Maryland Medical Assistance Program, managed care
5 organizations, and certain insurers, nonprofit health service plans, and health
6 maintenance organizations, if providing coverage for the delivery of anesthesia for a
7 procedure for which a licensed medical professional issues an order, to provide the
8 coverage in a certain manner; and generally relating to health insurance coverage
9 for the delivery of anesthesia.

10 BY adding to

11 Article – Health – General
12 Section 15–102.3(m), 15–103(a)(2)(xxv), and 15–157
13 Annotated Code of Maryland
14 (2023 Replacement Volume and 2024 Supplement)

15 BY repealing and reenacting, without amendments,

16 Article – Health – General
17 Section 15–103(a)(1)
18 Annotated Code of Maryland
19 (2023 Replacement Volume and 2024 Supplement)

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.



BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(a)(2)(xxiii) and (xxiv)
Annotated Code of Maryland
(2023 Replacement Volume and 2024 Supplement)

BY adding to
Article – Insurance
Section 15–861
Annotated Code of Maryland
(2017 Replacement Volume and 2024 Supplement)

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

Article – Health – General

15–102.3.

**(M) BEGINNING JANUARY 1, 2026, THE PROVISIONS OF § 15–861 OF THE
INSURANCE ARTICLE APPLY TO MANAGED CARE ORGANIZATIONS IN THE SAME
MANNER THAT THEY APPLY TO CARRIERS.**

15–103.

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

(2) The Program:

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

(xxiv) Beginning on January 1, 2025, shall provide coverage for
prostheses in accordance with § 15–844 of the Insurance Article; AND

**(XXV) BEGINNING ON JANUARY 1, 2026, IF PROVIDING COVERAGE
FOR THE DELIVERY OF ANESTHESIA, SHALL PROVIDE COVERAGE FOR THE DELIVERY
OF ANESTHESIA IN ACCORDANCE WITH § 15–861 OF THE INSURANCE ARTICLE.**

15–157.

**IF THE PROGRAM COVERS THE DELIVERY OF ANESTHESIA FOR A PROCEDURE
FOR WHICH A LICENSED MEDICAL PROFESSIONAL ISSUES AN ORDER, THE
PROGRAM:**

(1) SHALL PROVIDE COVERAGE FOR ~~THE~~:

(I) THE DELIVERY OF ANESTHESIA FOR THE ENTIRE DURATION OF THE PROCEDURE; AND

(II) MEDICAL CARE RELATED TO THE DELIVERY OF ANESTHESIA FOR THE PROCEDURE THAT IS PROVIDED IMMEDIATELY BEFORE AND AFTER THE PROCEDURE; AND

(2) MAY NOT ~~PLACE~~ ESTABLISH, IMPLEMENT, OR ENFORCE A POLICY, PRACTICE, OR PROCEDURE THAT PLACES TIME LIMITATIONS ON THE DELIVERY OF ANESTHESIA.

Article – Insurance

15-861.

(A) THIS SECTION APPLIES TO:

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

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

(B) AN ENTITY SUBJECT TO THIS SECTION THAT COVERS THE DELIVERY OF ANESTHESIA FOR A PROCEDURE FOR WHICH A LICENSED MEDICAL PROFESSIONAL ISSUES AN ORDER:

(1) SHALL PROVIDE COVERAGE FOR:

(I) THE DELIVERY OF ANESTHESIA FOR THE ENTIRE DURATION OF THE PROCEDURE; AND

(II) MEDICAL CARE RELATED TO THE DELIVERY OF ANESTHESIA FOR THE PROCEDURE THAT IS PROVIDED IMMEDIATELY BEFORE AND AFTER THE PROCEDURE; AND

1 **(2) MAY NOT ~~PLACE~~ ESTABLISH, IMPLEMENT, OR ENFORCE A POLICY,**
2 **PRACTICE, OR PROCEDURE THAT PLACES TIME LIMITATIONS ON THE DELIVERY OF**
3 **ANESTHESIA.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
5 policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or
6 after January 1, 2026.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 January 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.