

HOUSE BILL 1301

J5, J1, J4

5lr3342

By: ~~Delegate Rosenberg~~ Delegates Rosenberg, Bagnall, Chisholm, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kaiser, Kerr, Kipke, Lopez, Martinez, Pena-Melnyk, Ross, Szeliga, and White Holland

Introduced and read first time: February 7, 2025

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2025

CHAPTER _____

1 AN ACT concerning

2 **Maryland Medical Assistance Program, Maryland Children's Health Program,**
3 **and Health Insurance – Transfers to Special Pediatric Hospitals – Prior**
4 **Authorizations**

5 FOR the purpose of prohibiting the Maryland Medical Assistance Program, the Maryland
6 Children's Health Program, managed care organizations, and certain health
7 insurers, nonprofit health service plans, and health maintenance organizations from
8 requiring prior authorization for a transfer to a special pediatric hospital; and
9 generally relating to health insurance coverage for transfers to special pediatric
10 hospitals.

11 BY repealing and reenacting, without amendments,
12 Article – Health – General
13 Section 15–101(a), (c), and (h) and 15–103(a)(1)
14 Annotated Code of Maryland
15 (2023 Replacement Volume and 2024 Supplement)

16 BY adding to
17 Article – Health – General
18 Section 15–101(k), 15–102.3(m), 15–103(a)(2)(xxv), and 15–157
19 Annotated Code of Maryland
20 (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 15–101(k) and (l) and 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

15–101.

(a) In this title the following words have the meanings indicated.

(c) “Facility” means a hospital or nursing facility including an intermediate care facility, skilled nursing facility, comprehensive care facility, or extended care facility.

(h) “Program” means the Maryland Medical Assistance Program.

(K) “SPECIAL PEDIATRIC HOSPITAL” MEANS A FACILITY IN THE STATE THAT PROVIDES NONACUTE MEDICAL, REHABILITATION, THERAPY, AND PALLIATIVE SERVICES TO INDIVIDUALS:

(1) UNDER THE AGE OF 22 YEARS; OR

(2) WHO ARE AT LEAST 2 YEARS OLD AND UNDER THE AGE OF 23 YEARS AND HAVE CO-OCCURRING PHYSICAL AND BEHAVIORAL HEALTH CONDITIONS.

[(k)] (L) “Specialty mental health services” means any mental health services other than primary mental health services.

[(l)] (M) “Validated home blood pressure monitor” means a blood pressure measurement device that has been validated for accuracy and is listed in the U.S. Blood Pressure Validated Device Listing.

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, SHALL PROVIDE COVERAGE FOR A TRANSFER TO A SPECIAL PEDIATRIC HOSPITAL IN ACCORDANCE WITH § 15-861 OF THE INSURANCE ARTICLE.

15-157.

THE PROGRAM AND THE MARYLAND CHILDREN'S HEALTH PROGRAM MAY NOT REQUIRE PRIOR AUTHORIZATION FOR A TRANSFER TO A SPECIAL PEDIATRIC HOSPITAL.

Article – Insurance

15-861.

(A) IN THIS SECTION, “SPECIAL PEDIATRIC HOSPITAL” HAS THE MEANING STATED IN § 15-101 OF THE HEALTH – GENERAL ARTICLE.

(B) 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.

1 **(C) AN ENTITY SUBJECT TO THIS SECTION MAY NOT REQUIRE PRIOR**
2 **AUTHORIZATION FOR A TRANSFER TO A SPECIAL PEDIATRIC HOSPITAL.**

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, 2026.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.