

CHAPTER 248

(Senate Bill 69)

AN ACT concerning

Insurance - Home Health Care

FOR the purpose of extending the coverage of accident and sickness insurance to home health care.

BY adding to

Article 48A - Insurance Code
Section 470J
Annotated Code of Maryland
(1972 Replacement Volume and 1975 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 470J be and it is hereby added to Article 48A - Insurance Code, of the Annotated Code of Maryland (1972 Replacement Volume and 1975 Supplement) to read as follows:

Article 48A - Insurance Code

[[407]] 470J.

(A) AS USED IN THIS SECTION HOME HEALTH CARE MEANS THE CONTINUED CARE AND TREATMENT OF A COVERED PERSON IF:

(1) THE INSTITUTIONALIZATION OF THE INSURED WOULD OTHERWISE HAVE BEEN REQUIRED IF HOME HEALTH CARE WAS NOT PROVIDED; AND

(2) THE PLAN OF TREATMENT COVERING THE HOME HEALTH CARE SERVICE IS ESTABLISHED AND APPROVED IN WRITING BY THE PHYSICIAN.

(B) AFTER JULY 1, [[1976]] 1977, EVERY INSURER ISSUING A POLICY OF HEALTH INSURANCE FOR DELIVERY IN THIS STATE WHICH PROVIDES COVERAGE FOR IN-PATIENT HOSPITAL CARE[[,]] SHALL MAKE KNOWN TO ITS INSURED THE AVAILABILITY OF HOME HEALTH CARE AND SHALL MAKE AVAILABLE COVERAGE FOR THIS CARE UNDER SUCH POLICY IF REQUESTED BY THE INSURED[[, COVERAGE FOR HOME CARE]].

(C) HOME HEALTH CARE SHALL BE PROVIDED:

(1) BY A HOSPITAL POSSESSING A VALID OPERATING CERTIFICATE, AND CERTIFIED TO PROVIDE HOME HEALTH SERVICES; OR