

CONTRACT IN ACCORDANCE WITH ITS TERMS, THE PROVISIONS OF THIS SECTION MAY NOT REQUIRE PAYMENT TO THE DEPARTMENT.

[470N.

Every contract or agreement for health care coverage entered into or renewed after July 1, 1979 shall provide for payment to the State Department of Health and Mental Hygiene for the cost of services paid for or rendered by the State Department of Health and Mental Hygiene on behalf of any person entitled to benefits under such a contract or agreement of health care coverage. Benefits payable to the State Department of Health and Mental Hygiene are restricted to those benefits available to the person under all terms and conditions of the contract or agreement for health care coverage for the services paid for or rendered.]

470N.

IF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE NOTIFIES AN INSURER THAT SERVICES TO A PERSON COVERED UNDER A HEALTH INSURANCE POLICY ISSUED, DELIVERED, OR RENEWED IN MARYLAND HAS BEEN PAID FOR OR PROVIDED BY THE DEPARTMENT, THE INSURER SHALL REIMBURSE THE DEPARTMENT FOR THE COST OF THE SERVICES REGARDLESS OF ANY PROVISION IN THE POLICY WHICH WOULD REQUIRE PAYMENT TO THE POLICYHOLDER OR ANY OTHER PAYEE. BENEFITS PAYABLE TO THE DEPARTMENT ARE LIMITED TO THOSE BENEFITS AVAILABLE UNDER ALL TERMS AND CONDITIONS OF THE POLICY FOR THE SERVICES PAID FOR OR PROVIDED. IF, PRIOR TO RECEIVING NOTICE FROM THE DEPARTMENT, THE INSURER, ACTING IN GOOD FAITH, HAS PAID THE BENEFITS AVAILABLE UNDER THE POLICY IN ACCORDANCE WITH ITS TERMS, THE PROVISIONS OF THIS SECTION MAY NOT REQUIRE PAYMENT TO THE DEPARTMENT.

477U.

IF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE NOTIFIES AN INSURER THAT SERVICES TO A PERSON COVERED UNDER A HEALTH INSURANCE POLICY ISSUED, DELIVERED, OR RENEWED IN MARYLAND HAS BEEN PAID FOR OR PROVIDED BY THE DEPARTMENT, THE INSURER SHALL REIMBURSE THE DEPARTMENT FOR THE COST OF THE SERVICES REGARDLESS OF ANY PROVISION IN THE POLICY WHICH WOULD REQUIRE PAYMENT TO THE POLICYHOLDER OR ANY OTHER PAYEE. BENEFITS PAYABLE TO THE DEPARTMENT ARE LIMITED TO THOSE BENEFITS AVAILABLE UNDER ALL TERMS AND CONDITIONS OF THE POLICY FOR THE SERVICES PAID FOR OR PROVIDED. IF, PRIOR TO RECEIVING NOTICE FROM THE DEPARTMENT, THE INSURER, ACTING IN GOOD FAITH, HAS PAID THE BENEFITS AVAILABLE UNDER THE POLICY IN ACCORDANCE WITH ITS TERMS, THE PROVISIONS OF THIS SECTION MAY NOT REQUIRE PAYMENT TO THE DEPARTMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1980.

Approved May 6, 1980.

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