

## Article 48A - Insurance Code

354.

(C) (1) EACH HOSPITAL OR MEDICAL CONTRACT OR CERTIFICATE DELIVERED OR ISSUED FOR DELIVERY WITHIN THIS STATE BY A NONPROFIT HEALTH SERVICE ORGANIZATION THAT PROVIDES COVERAGE FOR HEALTH CARE MAY NOT DISCRIMINATE AGAINST ANY PERSON WITH A MENTAL ILLNESS BY FAILING TO PROVIDE CARE FOR SUCH BENEFITS FOR TREATMENT AND DIAGNOSIS OF MENTAL ILLNESS UNDER THE SAME TERMS AND CONDITIONS AS PROVIDED FOR THAT APPLY TO THE MAJORITY OF COMPARABLE BENEFITS AVAILABLE UNDER THE CONTRACT OR CERTIFICATE ANY OTHER TYPE OF HEALTH CARE.

(2) THE BENEFITS REQUIRED UNDER THIS SUBSECTION SHALL BE OFFERED IN ADDITION TO AND NOT AS A SUBSTITUTION FOR THE BENEFITS REQUIRED UNDER § 354D OF THIS SUBTITLE.

(3) A PERSON INSURED UNDER THIS SUBSECTION MAY WAIVE ONLY THE ADDITIONAL COVERAGE FOR MENTAL ILLNESS PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION BY MAKING AN AFFIRMATIVE WRITTEN WAIVER ON A FORM SIGNED BY THAT PERSON AND APPROVED BY THE COMMISSIONER. A WAIVER UNDER THIS PARAGRAPH APPLIES TO EACH DEPENDENT OF THE PERSON INSURED.

490R.

(A) EACH CONTRACT OR POLICY OF HEALTH INSURANCE DELIVERED OR ISSUED FOR DELIVERY WITHIN THIS STATE TO AN EMPLOYER OR AN INDIVIDUAL ON A GROUP OR INDIVIDUAL BASIS THAT PROVIDES COVERAGE FOR HEALTH CARE ON AN EXPENSE-INCURRED BASIS MAY NOT DISCRIMINATE AGAINST ANY PERSON WITH A MENTAL ILLNESS BY FAILING TO PROVIDE CARE FOR SUCH BENEFITS FOR TREATMENT AND DIAGNOSIS OF MENTAL ILLNESS UNDER THE SAME TERMS AND CONDITIONS AS PROVIDED FOR THAT APPLY TO THE MAJORITY OF COMPARABLE BENEFITS AVAILABLE UNDER THE CONTRACT OR POLICY ANY OTHER TYPE OF HEALTH CARE.

(B) THE BENEFITS REQUIRED UNDER THIS SECTION SHALL BE OFFERED IN ADDITION TO AND NOT AS A SUBSTITUTION FOR THE BENEFITS REQUIRED UNDER § 470E OR § 477E OF THIS ARTICLE.

(C) A PERSON INSURED UNDER THIS SECTION MAY WAIVE ONLY THE ADDITIONAL COVERAGE FOR MENTAL ILLNESS PROVIDED FOR IN SUBSECTION (A) OF THIS SECTION BY MAKING AN AFFIRMATIVE WRITTEN WAIVER ON A FORM SIGNED BY THAT PERSON AND APPROVED BY THE COMMISSIONER. A WAIVER UNDER THIS SUBSECTION APPLIES TO EACH DEPENDENT OF THE PERSON INSURED.

## Article - Health - General

19-703.

(F) (1) A CONTRACT OR CERTIFICATE ISSUED TO A MEMBER OR SUBSCRIBER BY A HEALTH MAINTENANCE ORGANIZATION THAT PROVIDES HEALTH CARE BENEFITS AND SERVICES FOR DISEASES MAY NOT DISCRIMINATE