

(e) For the purposes of this section, "drug abuse" has the meaning stated in § 8-101 of the Health - General Article.]

490V.

(A) (1) IN THIS SECTION THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(2) "ALCOHOL ABUSE" HAS THE MEANING STATED IN § 8-101 OF THE HEALTH - GENERAL ARTICLE.

(3) "DRUG ABUSE" HAS THE MEANING STATED IN § 8-101 OF THE HEALTH - GENERAL ARTICLE.

(4) "MANAGED CARE SYSTEM" MEANS A METHOD THAT A CARRIER USES TO REVIEW AND PREAUTHORIZE A TREATMENT PLAN THAT A HEALTH CARE PRACTITIONER DEVELOPS FOR A COVERED PERSON USING A VARIETY OF COST CONTAINMENT METHODS TO CONTROL UTILIZATION, QUALITY, AND CLAIMS.

(5) "PARTIAL HOSPITALIZATION" MEANS THE PROVISION OF MEDICALLY DIRECTED INTENSIVE OR INTERMEDIATE SHORT-TERM TREATMENT FOR MENTAL ILLNESS, EMOTIONAL DISORDERS, DRUG ABUSE OR ALCOHOL ABUSE FOR A PERIOD OF LESS THAN 24 HOURS BUT MORE THAN 4 HOURS IN A DAY FOR AN INSURED, SUBSCRIBER OR MEMBER IN A LICENSED OR CERTIFIED FACILITY OR PROGRAM.

(B) (1) SUBJECT TO THE PROVISIONS OF THIS SECTION, 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, EMOTIONAL DISORDER OR A DRUG ABUSE OR ALCOHOL ABUSE DISORDER BY FAILING TO PROVIDE BENEFITS FOR TREATMENT AND DIAGNOSIS OF THESE ILLNESSES UNDER THE SAME TERMS AND CONDITIONS THAT APPLY UNDER THE CONTRACT OR POLICY FOR TREATMENT OF PHYSICAL ILLNESS.

(2) IT SHALL NOT BE CONSIDERED TO BE DISCRIMINATORY UNDER SUBSECTION (B)(1) OF THIS SECTION IF AT LEAST THE FOLLOWING BENEFITS ARE PROVIDED:

(I) WITH RESPECT TO INPATIENT BENEFITS PROVIDED IN A LICENSED OR CERTIFIED FACILITY, WHICH SHALL INCLUDE HOSPITAL INPATIENT BENEFITS, THE TOTAL NUMBER OF DAYS FOR WHICH BENEFITS ARE PAYABLE SHALL BE:

1. EXCEPT AS PROVIDED IN SUBSECTION (D), FROM JULY 1, 1994 THROUGH JUNE 30, 1995, AT LEAST 60 DAYS IN ANY CALENDAR YEAR OR A BENEFIT PERIOD OF NOT MORE THAN 12 MONTHS UNDER THE SAME TERMS AND CONDITIONS THAT APPLY TO BENEFITS AVAILABLE UNDER THE CONTRACT OR POLICY FOR PHYSICAL ILLNESS; AND