

CHAPTER 580

(House Bill 863)

AN ACT concerning

Health Insurance – Gynecological Care

FOR the purpose of altering the circumstances under which certain insurers and nonprofit health service plans, including health maintenance organizations, shall permit a woman to receive certain gynecological care from an in-network obstetrician/gynecologist who is not her primary care physician; requiring an obstetrician/gynecologist to consult with and obtain approval from ~~confer with~~ a primary care physician under certain circumstances; and generally relating to gynecological care in health insurance.

BY repealing and reenacting, with amendments,
Article 48A – Insurance Code
Section 490Z(a)
Annotated Code of Maryland
(1994 Replacement Volume and 1995 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19-706(k)(1)
Annotated Code of Maryland
(1990 Replacement Volume and 1995 Supplement)

Preamble

WHEREAS, The findings of a ~~Gallop~~ Gallup Organization survey of 500 women who live and work in downtown Baltimore City showed that between 38 and 44 percent of all women age 18 through 40 visit only an obstetrician/gynecologist (OB/GYN) for routine care; and

WHEREAS, For women age 41 and older, 27 percent see only an OB/GYN for their routine care; and

WHEREAS, For minority women and those women of limited financial means, the percentages in all age groups who see only an OB/GYN for their routine care are significantly higher than others; and

WHEREAS, The federal Health Security Act has recognized that an OB/GYN is sometimes the only physician a significant number of women see for their primary care needs; and

WHEREAS, The legislation enacted in 1994 by the Maryland General Assembly to address this issue during its 1994 session has been interpreted by insurers as prohibiting an OB/GYN who chooses not to be a primary care physician from seeing patients without