

15-821. DIAGNOSTIC AND SURGICAL PROCEDURES FOR BONES OF FACE, NECK, AND HEAD.

(A) SCOPE OF SECTION.

THIS SECTION APPLIES TO EACH POLICY OR CONTRACT THAT IS ISSUED OR DELIVERED IN THE STATE TO AN EMPLOYER OR INDIVIDUAL BY AN INSURER OR NONPROFIT HEALTH SERVICE PLAN.

(B) EXCLUSION OR DENIAL OF COVERAGE PROHIBITED.

(1) A POLICY OR CONTRACT SUBJECT TO THIS SECTION THAT PROVIDES COVERAGE ON A GROUP OR INDIVIDUAL BASIS FOR A DIAGNOSTIC OR SURGICAL PROCEDURE INVOLVING A BONE OR JOINT OF THE SKELETAL STRUCTURE MAY NOT EXCLUDE OR DENY COVERAGE FOR THE SAME DIAGNOSTIC OR SURGICAL PROCEDURE INVOLVING A BONE OR JOINT OF THE FACE, NECK, OR HEAD IF, UNDER THE ACCEPTED STANDARDS OF THE PROFESSION OF THE HEALTH CARE PROVIDER RENDERING THE SERVICE, THE PROCEDURE IS MEDICALLY NECESSARY TO TREAT A CONDITION CAUSED BY A CONGENITAL DEFORMITY, DISEASE, OR INJURY.

(2) THIS SUBSECTION DOES NOT APPLY TO INTRAORAL PROSTHETIC DEVICES.

(C) EFFECT AND INTENT OF SECTION.

(1) THIS SECTION DOES NOT AFFECT ANY OTHER COVERAGE REQUIRED UNDER THIS ARTICLE OR RESTRICT THE SCOPE OF COVERAGE UNDER A POLICY OR CONTRACT SUBJECT TO THIS SECTION.

(2) THIS SECTION IS NOT INTENDED TO ENCOURAGE SURGICAL PROCEDURES OVER APPROPRIATE NONSURGICAL PROCEDURES, OR TO PROHIBIT THE CONTINUED COVERAGE OF NONSURGICAL PROCEDURES IN THE TREATMENT OF A BONE OR JOINT OF THE FACE, NECK, OR HEAD.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 490K.

In subsection (b)(1) of this section, the reference to a "health care" provider is added for clarity and consistency with the terminology used throughout this subtitle.

Also in subsection (b)(1) of this section, the former reference to the "same" coverage is deleted as unnecessary in light of the reference to coverage for the "same" diagnostic or surgical procedure.

In subsection (c)(1) of this section, the reference to a policy or contract "subject to this section" is substituted for the former reference to a policy or contract "issued or delivered in this State to an employer or an individual by an insurer or a nonprofit health service plan" in light of subsection (a) of this section.

Defined terms: "Insurer" § 1-101
"Policy" § 1-101