

CHAPTER 563

(House Bill 1448)

AN ACT concerning

Medicare Supplement Policies - Medicare Select Program

FOR the purpose of authorizing certain ~~health~~ health insurers and nonprofit health service plans to issue Medicare supplement policies under the Medicare Select program; establishing requirements for a Medicare supplement policy issued under the Medicare Select program; requiring the Department of Health and Mental Hygiene to make certain determinations about the adequacy of the network established by a health insurer or a nonprofit health service plan under the Medicare Select program; authorizing the Maryland Insurance Commissioner to adopt certain regulations; and generally relating to Medicare supplement policies issued under the Medicare Select program.

BY repealing and reenacting, with amendments,

Article - Insurance

Section 15-904

Annotated Code of Maryland

(1997 Volume and 2000 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Insurance

15-904.

(A) A carrier may not issue, deliver, or renew a Medicare supplement policy in the State unless the Medicare supplement policy complies with this subtitle.

(B) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, ~~A HEALTH AN INSURER OR A NONPROFIT HEALTH SERVICE PLAN~~ THAT IS AUTHORIZED TO ISSUE ~~HEALTH INSURANCE~~ MEDICARE SUPPLEMENT POLICIES UNDER THIS ARTICLE MAY ISSUE MEDICARE SUPPLEMENT POLICIES UNDER THE MEDICARE SELECT PROGRAM.

(2) THE REQUIREMENTS FOR A MEDICARE SUPPLEMENT POLICY ISSUED UNDER THE MEDICARE SELECT PROGRAM SHALL BE CONSISTENT WITH REQUIREMENTS SET FORTH IN THE FEDERAL OMNIBUS BUDGET RECONCILIATION ACT OF 1990 AND ANY SUBSEQUENT RELEVANT FEDERAL LAW AND REGULATIONS.

(3) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL DETERMINE THE ADEQUACY OF THE NETWORK ESTABLISHED BY ~~A HEALTH AN INSURER OR A NONPROFIT HEALTH SERVICE PLAN~~ UNDER THE MEDICARE SELECT PROGRAM, AS TO THE NUMBER OF PROVIDERS, GEOGRAPHIC LOCATION, HOURS OF OPERATION, PROMPTNESS OF SERVICE, AND RANGE OF SERVICES, IN THE SAME