

CHAPTER 384

(House Bill 583)

AN ACT concerning

Insurance – Newly Born and Newly Adopted Children

FOR the purpose of requiring that certain individual and group health insurance policies provide certain coverage for newly born and newly adopted children; requiring that certain ~~other individual and group health insurance policies provide conversion rights in policies containing certain coverage for newly born and newly adopted children~~ insurers offer, upon request, family members' coverage to any insureds or subscriber, regardless of marital status; requiring a certain notice under certain circumstances; permitting certain insurers to require certain proof and requiring the insurers to pay for the cost of obtaining the proof; defining certain terms; providing for a delayed effective date; providing for the application of this Act; and generally relating to health insurance for newly born and newly adopted children.

BY repealing and reenacting, with amendments,

Article 48A – Insurance Code

Section 438A

Annotated Code of Maryland

(1986 Replacement Volume and 1990 Supplement)

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

Article 48A – Insurance Code

438A.

(A) IN THIS SECTION, "DATE OF ADOPTION" MEANS THE EARLIER OF:

(1) A JUDICIAL DECREE OF ADOPTION; OR

(2) THE ASSUMPTION OF CUSTODY, PENDING ADOPTION, OF A PROSPECTIVE ADOPTIVE CHILD BY A PROSPECTIVE ADOPTIVE PARENT.

~~(a)~~ (B) (1) All individual [and group health] insurance policies providing coverage on an expense incurred basis and individual [and group] service or indemnity type contracts issued by a nonprofit HEALTH SERVICE PLAN [corporation] which provide coverage for a family member of the insured or subscriber shall, as to such family members' coverage, [also] provide that the health insurance benefits applicable for children shall be payable with respect to a [newly born child of] CHILD NEWLY BORN TO OR NEWLY ADOPTED BY the insured or subscriber from the moment of birth OF THE NEWLY BORN CHILD OR THE DATE OF ADOPTION.