

(4) To the extent consistent with the Employee Retirement Income Security Act of 1974, 29 U.S.C. 1001, et seq., as amended, the provisions of this subsection shall apply to an insurer acting as a third party administrator.

[(c) Notwithstanding the provisions of subsection (a) of this section, unless the policy, contract, or certificate expressly provides for reimbursement for any service which is within the lawful scope of practice of a dietitian or nutritionist licensed under the Health Occupations Article, the provisions of Title 5 of the Health Occupations Article governing the licensing and regulation of dietitians and nutritionists may not be construed to entitle the insured or any other person covered by the policy, contract, or certificate to reimbursement for any service which is within the lawful scope of practice of a licensed dietitian or licensed nutritionist.]

[(d)](C) Notwithstanding the provisions of subsection (a) of this section, unless the policy, contract, or certificate expressly provides for reimbursement for any service which is within the lawful scope of practice of a certified professional counselor under the Health Occupations Article, the provisions of Title 17 of the Health Occupations Article governing the certification and regulation of professional counselors may not be construed to entitle the insured or any other person covered by the policy, contract, or certificate to reimbursement for any service which is within the lawful scope of practice of a certified professional counselor.

[(e)](D) Notwithstanding the provisions of subsection (a) of this section, unless the policy, contract, or certificate expressly provides for reimbursement of any service which is within the lawful scope of practice of a physician assistant certified under the Health Occupations Article, the provisions of Title 15 of the Health Occupations Article governing the certification and regulation of physician assistants may not be construed to entitle the insured or any other person covered by the policy, contract, or certificate to reimbursement for any service which is within the lawful scope of practice of a certified physician assistant.

(E) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPH (4) OF THIS SUBSECTION, A POLICY, CONTRACT, OR CERTIFICATE MAY PROVIDE FOR REIMBURSEMENT UNDER SUBSECTION (A) OF THIS SECTION FOR USUAL AND CUSTOMARY THE USUAL, CUSTOMARY, AND REASONABLE CHARGES OF A DIETITIAN OR NUTRITIONIST LICENSED UNDER THE HEALTH OCCUPATIONS ARTICLE WHEN A LICENSED PHYSICIAN DETERMINES THAT NUTRITIONAL SERVICES ARE MEDICALLY NECESSARY FOR TREATMENT OF CARDIOVASCULAR DISEASE, DIABETES, MALNUTRITION, CANCER, CEREBRAL VASCULAR DISEASE, OR KIDNEY DISEASE.

(2) APPLICATION OF THIS SUBSECTION IS LIMITED TO 6 VISITS PER CONDITION DURING A 12-MONTH PERIOD AND TO NUTRITIONAL SERVICES FOR OBESITY ONLY IN CONJUNCTION WITH TREATMENT FOR A CONDITION DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) THIS SUBSECTION DOES NOT REQUIRE A POLICY, CONTRACT, OR CERTIFICATE TO PROVIDE COVERAGE FOR NUTRITION SERVICES.