

(1) each individual or group hospital or major medical insurance policy or certificate that is delivered or issued for delivery in the State by an insurer and is written on an expense-incurred basis; [and]

(2) each individual or group medical or major medical contract, policy, or certificate that is delivered or issued for delivery in the State by a nonprofit health service plan; AND

(3) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS UNDER CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.

(b) A policy, contract, or certificate subject to this section shall include benefits for inpatient or outpatient expenses arising from orthodontics, oral surgery, and otologic, audiological, and speech/language treatment involved in the management of the birth [defects] DEFECT known as cleft lip [and] OR cleft palate OR BOTH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1998.

Approved April 28, 1998.

CHAPTER 122

(Senate Bill 652)

AN ACT concerning

Manufacturers of Tobacco Products - State Claims

FOR the purpose of clarifying that the Department of Health and Mental Hygiene's right of subrogation for payments relating to medical assistance recipients is not an exclusive right, remedy, or cause of action; providing that in any action brought by the State against a manufacturer of a tobacco product the causation and the amount of medical assistance expenditures may be ~~proven by the use~~ proved or disproved by evidence of statistical analysis; analysis without certain other proof; clarifying language; defining certain terms; making the provisions of this Act severable; providing for the application of this Act; stating a certain agreement between the Law Offices of Peter G. Angelos and the Attorney General; providing that this Act may not be construed to affect the application of certain provisions of the Maryland Lawyers' Rules of Professional Conduct to a certain contract; stating the intent of the General Assembly that a portion of any recovery from certain litigation be allocated in a certain manner to offset certain losses by tobacco farmers in this State; providing for the effective date of this Act; and generally relating to certain rights, remedies, and causes of action brought by the State to recover certain expenses.

BY repealing and reenacting, with amendments,