

**Introduced by Senator Speier**

February 19, 2004

An act to add Section 10123.865 to the Insurance Code, relating to health care benefits.

LEGISLATIVE COUNSEL'S DIGEST

SB 1555, as introduced, Speier. Maternity services.

Existing law provides for the regulation of health insurers by the Department of Insurance. Under existing law, a health insurer that provides maternity coverage may not restrict inpatient hospital benefits and is required to provide notice of the maternity services coverage.

This bill would require a health insurer to provide coverage for maternity services, as defined.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares the  
2 following:

3 (a) In actual practice, health care service plans have been  
4 required by the Knox-Keene Health Care Service Plan Act of 1975  
5 (Chapter 2.2 (commencing with Section 1340) of Division 2 of the  
6 Health and Safety Code) to provide maternity services as a basic  
7 health care benefit.

8 (b) At the same time, existing law does not require health  
9 insurers to provide designated basic health care services and,  
10 therefore, health insurers are not required to provide coverage for  
11 maternity services.



1 (c) Therefore, it is essential to clarify that all health coverage  
2 made available to California consumers, whether issued by health  
3 care service plans regulated by the Department of Managed Health  
4 Care or by health insurers regulated by the Department of  
5 Insurance, must include maternity services.

6 SEC. 2. Section 10123.865 is added to the Insurance Code, to  
7 read:

8 10123.865. (a) Every individual or group policy of health  
9 insurance that covers hospital, medical, or surgical expenses that  
10 is issued, amended, renewed, or delivered on or after January 1,  
11 2005, shall cover maternity services. For the purposes of this  
12 section, “maternity services” include prenatal care, ambulatory  
13 care maternity services, involuntary complications of pregnancy,  
14 neonatal care, and inpatient hospital maternity care, including  
15 labor and delivery and postpartum care.

16 (b) This section shall not apply to Medicare supplement,  
17 vision-only, or Champus-supplement insurance, or to hospital  
18 indemnity, accident-only, or specified disease insurance that does  
19 not pay benefits on a fixed benefit, cash payment only basis.

