
By: Delegates Morhaim, Nathan-Pulliam, and Klausmeier

Introduced and read first time: January 17, 1997

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Utilization Review - Adverse Decisions**

3 FOR the purpose of providing that a private review agent, under certain circumstances,
4 may not retrospectively render an adverse decision for services determined to be
5 medically necessary by the patient's attending physician; and generally relating to
6 utilization review.

7 BY adding to

8 Article - Health - General
9 Section 19-1305.3(f)
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 1996 Supplement)

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

14 **Article - Health - General**

15 19-1305.3.

16 (F) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, A
17 PRIVATE REVIEW AGENT MAY NOT RETROSPECTIVELY RENDER AN ADVERSE
18 DECISION FOR SERVICES DETERMINED TO BE MEDICALLY NECESSARY BY A
19 PATIENT'S ATTENDING PHYSICIAN IF THE ATTENDING PHYSICIAN IS EMPLOYED BY,
20 UNDER CONTRACT WITH, OR ACTING ON BEHALF OF THE ENTITY FOR WHOM THE
21 PRIVATE REVIEW AGENT IS PERFORMING UTILIZATION REVIEW SERVICES.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 1997.