

HOUSE BILL 947

C3

(71r2275)

ENROLLED BILL

— Health and Government Operations / Finance —

Introduced by **Delegates Kach, Kipke, Kullen, Morhaim, Nathan-Pulliam, ~~and Riley~~ Riley, Hammen, Benson, Costa, Donoghue, Elliott, Hubbard, McDonough, Mizeur, Montgomery, Oaks, Pena-Melnyk, Pendergrass, Tarrant, V. Turner, and Weldon**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Health Insurance – Health Care Providers – Reimbursement ~~by Carriers and~~**
3 **Charges**

4 FOR the purpose of prohibiting certain carriers from requiring ~~certain~~ health care
5 providers that ~~deliver~~ provide health care services through a certain group
6 practice or ~~other~~ health care ~~entity~~ facility to be considered participating
7 providers or to accept the a certain reimbursement fee schedule ~~applicable~~
8 ~~under the contract between the group practice or other health care entity and~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



~~the carrier for certain health care services delivered by the health care provider under certain circumstances; requiring a certain provider to give certain notice to an enrollee; and generally relating to reimbursement of health care providers by carriers~~ health care provider reimbursement and charges.

BY repealing and reenacting, without amendments,
 Article – Insurance
 Section 15–112(a)(1), (3), (4), and (6)
 Annotated Code of Maryland
 (2006 Replacement Volume and 2006 Supplement)

BY adding to
 Article – Insurance
 Section 15–112(o)
 Annotated Code of Maryland
 (2006 Replacement Volume and 2006 Supplement)

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

Article – Insurance

15–112.

(a) (1) In this section the following words have the meanings indicated.

(3) (i) “Carrier” means:

1. an insurer;
2. a nonprofit health service plan;
3. a health maintenance organization;
4. a dental plan organization; or
5. any other person that provides health benefit plans subject to regulation by the State.

(ii) “Carrier” includes an entity that arranges a provider panel for a carrier.

1 (4) "Enrollee" means a person entitled to health care benefits from a
2 carrier.

3 (6) "Provider" means a health care practitioner or group of health care
4 practitioners licensed, certified, or otherwise authorized by law to provide health care
5 services.

6 ~~(O) A CARRIER MAY NOT REQUIRE A PROVIDER THAT DELIVERS
7 HEALTH CARE SERVICES THROUGH A GROUP PRACTICE OR OTHER HEALTH
8 CARE ENTITY TO ACCEPT THE REIMBURSEMENT FEE SCHEDULE APPLICABLE
9 UNDER THE CONTRACT BETWEEN THE GROUP PRACTICE OR OTHER HEALTH
10 CARE ENTITY AND THE CARRIER FOR HEALTH CARE SERVICES THE PROVIDER
11 DELIVERS;~~

12 ~~(1) TO ENROLLEES OF THE CARRIER THROUGH A SEPARATE
13 INDIVIDUAL, GROUP, OR OTHER HEALTH CARE PRACTICE ARRANGEMENT; AND~~

14 ~~(2) USING A DIFFERENT FEDERAL TAX IDENTIFICATION NUMBER
15 THAN THAT USED BY THE GROUP PRACTICE OR OTHER HEALTH CARE ENTITY.~~

16 (O) (1) A CARRIER MAY NOT REQUIRE A PROVIDER THAT PROVIDES
17 HEALTH CARE SERVICES THROUGH A GROUP PRACTICE OR HEALTH CARE
18 FACILITY THAT PARTICIPATES ON THE CARRIER'S PROVIDER PANEL UNDER A
19 CONTRACT WITH THE CARRIER TO BE CONSIDERED A PARTICIPATING PROVIDER
20 OR ACCEPT THE REIMBURSEMENT FEE SCHEDULE APPLICABLE UNDER THE
21 CONTRACT WHEN:

22 (I) PROVIDING HEALTH CARE SERVICES TO ENROLLEES OF
23 THE CARRIER THROUGH AN INDIVIDUAL OR GROUP PRACTICE OR HEALTH CARE
24 FACILITY THAT DOES NOT HAVE A CONTRACT WITH THE CARRIER; OR AND

25 (II) BILLING FOR HEALTH CARE SERVICES PROVIDED TO
26 ENROLLEES OF THE CARRIER USING A DIFFERENT FEDERAL TAX
27 IDENTIFICATION NUMBER THAN THAT USED BY THE GROUP PRACTICE OR
28 HEALTH CARE FACILITY UNDER A CONTRACT WITH THE CARRIER.

29 (2) A NONPARTICIPATING PROVIDER SHALL NOTIFY AN
30 ENROLLEE:

1 **(I) THAT THE PROVIDER DOES NOT PARTICIPATE ON THE**
2 **PROVIDER PANEL OF THE ENROLLEE’S CARRIER; AND**

3 **(II) OF THE ANTICIPATED TOTAL CHARGES FOR THE**
4 **HEALTH CARE SERVICES.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2007.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.