

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 796

(First Reading File Bill)

AMENDMENT NO. 1

In line 6, strike “within a certain period of time”; strike beginning with “and” in line 6 down through “credits” in line 7 and substitute “providing that a certain right of an injured employee is not limited; requiring certain notice under certain circumstances; allowing the Board for the Injured Workers’ Insurance Fund to offer certain managed care programs under certain circumstances; allowing the Board to designate certain providers; requiring the Insurance Commissioner to collect certain information from insurers and the Injured Workers’ Insurance Fund and to report to the General Assembly by a certain date on a certain effect of certain managed care plans; providing for the termination of this Act; and generally relating to rate credits for workers’ compensation insurance”.

In line 10, after “Section” insert “244G(h) and”.

After line 12, insert:

“BY adding to

Article - Labor and Employment

Section 10-115

Annotated Code of Maryland

(1991 Volume and 1995 Supplement)”.”.

AMENDMENT NO. 2

After line 15, insert:

“244G.

(h) (1) [The] EXCEPT AS PROVIDED IN § 244Y(E-1) OF THIS SUBTITLE, THE uniform

(Over)

experience rating plan shall be the exclusive means of providing prospective premium adjustment based upon measurement of the loss producing characteristics of an individual insured.

(2) An insurer may file a rating plan that provides for retrospective premium adjustments based upon an insured's past experience.”

AMENDMENT NO.3

In line 18, strike “A”; in the same line, strike “CREDIT” and substitute “CREDITS”; strike beginning with “OF” in line 18 down through “15%” in line 19; strike beginning with second “THAT” in line 19 down through “TO” in line 20 and substitute “OFFERED BY”; in line 21, strike the first “THE” and substitute “ANY SUCH”; in line 22, strike “WITHIN 30 DAYS AFTER USE”; strike beginning with “AN” in line 23 down through “FILING” in line 28 and substitute:

“(I) NOTHING IN THIS SUBSECTION SHALL LIMIT THE RIGHT OF AN INJURED EMPLOYEE TO SEEK TREATMENT FROM A MEDICAL CARE PROVIDER OF THE EMPLOYEE’S CHOICE.

“(II) AN INSURER THAT OFFERS A MANAGED CARE PLAN IN ACCORDANCE WITH THIS SUBSECTION SHALL PROVIDE WRITTEN NOTICE OF SUBPARAGRAPH (I) OF THIS PARAGRAPH TO AN INJURED EMPLOYEE “.

AMENDMENT NO. 4

After line 28, insert:

“Article - Labor and Employment

10-115.

(A) WITH THE AGREEMENT OF INSUREDS, THE BOARD MAY OFFER A MANAGED CARE PROGRAM FOR INJURIES AND ILLNESSES AS PROVIDED IN TITLE 9 OF THIS ARTICLE.

(B) THE BOARD, IN ITS SOLE DISCRETION, MAY DESIGNATE THE PROVIDERS OF THE MANAGED CARE PLAN.

(C)(1) NOTHING IN THIS SECTION SHALL LIMIT THE RIGHT OF AN INJURED EMPLOYEE TO SEEK TREATMENT FROM A MEDICAL CARE PROVIDER OF THE EMPLOYEE’S CHOICE.

(2) THE BOARD SHALL PROVIDE WRITTEN NOTICE OF PARAGRAPH (1) OF THIS SUBSECTION TO AN INJURED EMPLOYEE.”.

AMENDMENT NO. 5

In line 29, after “2.” insert “AND BE IT FURTHER ENACTED, That the Insurance Commissioner shall collect information from insurers using managed care plans and from the Injured Workers’ Insurance Fund to determine the availability and use of such plans in the State, and may obtain relevant supplemental information from the National Council on Compensation Insurance. The Insurance Commissioner shall prepare a report containing the information and submit the report to the General Assembly not later than October 1, 2000 in accordance with § 2-1312 of the State Government Article.”

SECTION 3.”.

AMENDMENT NO. 6

In line 30, after “October 1, 1996.” insert “It shall remain effective for a period of 5 years and, at the end of September 30, 2001, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.”