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**By: Delegates Morhaim, Bonsack, Nathan-Pulliam, and Klausmeier**

Introduced and read first time: February 9, 1996

Assigned to: Environmental Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 19, 1996

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CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Utilization Review - Adverse Decisions**

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

7 BY adding to  
8 Article - Health - General  
9 Section 19-1305.3(f)  
10 Annotated Code of Maryland  
11 (1990 Replacement Volume and 1995 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 RENDER AN ADVERSE DECISION FOR SERVICES  
18 DETERMINED TO BE MEDICALLY NECESSARY BY A PATIENT'S ATTENDING  
19 PHYSICIAN IF:

20 (1) THE ATTENDING PHYSICIAN IS EMPLOYED BY, UNDER CONTRACT  
21 WITH, OR ACTING ON BEHALF OF THE ENTITY FOR WHOM THE PRIVATE REVIEW  
22 AGENT IS PERFORMING UTILIZATION REVIEW SERVICES; OR

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1                   (2) THE SERVICES COULD NOT BE PROVIDED IN A TIMELY MANNER IN  
2 THE SETTING DESIGNATED BY THE PRIVATE REVIEW AGENT.

3                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 1996.