
By: Delegates Goldwater, Kopp, Barve, Krysiak, Frank, Pendergrass, Eckardt, and Cadden

Requested: June 25, 1996

Introduced and read first time: January 8, 1997

Assigned to: Economic Matters and Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Health Care Protection Act**

3 FOR the purpose of integrating, consolidating, and coordinating regulation of health care
 4 services and financing under an Office of Consumer Health Care Protection;
 5 establishing the Office of Consumer Health Care Protection and the Consumer
 6 Health Care Protection Commission; providing for membership of the Commission
 7 and requiring members to have certain experience; delineating the authority and
 8 responsibilities assigned by this Act to the Consumer Health Care Protection
 9 Commission; reestablishing certain existing commissions in the Department of
 10 Health and Mental Hygiene to act as advisory commissions to the Commission;
 11 transferring certain responsibilities from the Maryland Insurance Administration
 12 and the Insurance Commissioner to the Commission created under this Act;
 13 creating a People's Counsel to protect the interests of health care consumers in the
 14 State; establishing a Benefits Review Professional Advisory Board to resolve
 15 disputes involving medical necessity and availability of coverage for health services;
 16 transferring certain provisions from the Health - General Article to the article
 17 created under this Act and providing for the accurate codification of those
 18 provisions; requiring the Maryland Insurance Administration to issue a certain
 19 report by a certain date; requiring the Consumer Health Care Protection
 20 Commission to study the feasibility and desirability of consolidation of certain
 21 commissions and to issue a report and recommendation by a certain date; providing
 22 for a delayed effective date; and generally relating to regulation of health care
 23 services and financing in the State.

24 BY adding

25 New Article - Consumer Health Care Protection
 26 Annotated Code of Maryland

27 BY repealing

28 Article - Health - General
 29 Section 19-107(e) and (f), 19-108, 19-109, 19-114(f), 19-126, 19-208, and 19-1512
 30 Annotated Code of Maryland
 31 (1996 Replacement Volume and 1996 Supplement)

2

1 BY repealing

2 Article - Insurance
 3 Section 8-301 through 8-322, inclusive, and the subtitle "Subtitle 3. Third Party
 4 Administrators"
 5 Annotated Code of Maryland
 6 (1995 Volume and 1996 Supplement)
 7 (As enacted by Chapter 36 of the Acts of the General Assembly of 1995)

8 BY transferring

9 Article - Health - General
 10 Section 19-1601 through 19-1606 and the subtitle "Subtitle 16. Advisory Committee
 11 on Practice Parameters"; 19-101 through 19-126 and the subtitle "Subtitle 1.
 12 Comprehensive Health Planning"; 19-201 through 19-222 and the subtitle
 13 "Subtitle 2. Health Services Cost Review Commission"; 19-1501 through
 14 19-1515 and the subtitle "Subtitle 15. Maryland Health Care Access and Cost
 15 Commission"; 19-3A-01 through 19-3A-06 and the subtitle "Subtitle 3A.
 16 Freestanding Medical Facilities"; 19-3B-01 through 19-3B-09 and the
 17 subtitle "Subtitle 3B. Freestanding Ambulatory Care Facilities"; 19-301
 18 through 19-374 and the subtitle "Subtitle 3. Hospitals and Related
 19 Institutions"; 19-401 through 19-410 and the subtitle "Subtitle 4. Home
 20 Health Agencies"; 19-4A-01 through 19-4A-10 and the subtitle "Subtitle 4A.
 21 Residential Service Agencies"; 19-501 through 19-513 and the subtitle
 22 "Subtitle 5. Chronic Disease Centers"; 19-701 through 19-735 and the subtitle
 23 "Subtitle 7. Health Maintenance Organizations"; 19-901 through 19-913 and
 24 the subtitle "Subtitle 9. Hospice Care Facilities"; 19-1201 through 19-1208
 25 and the subtitle "Subtitle 12. Comprehensive Physical Rehabilitation
 26 Facilities"; 19-1301 through 19-1313 and the subtitle "Subtitle 13. Private
 27 Review Agents"; and 19-1401 through 19-1409 and the subtitle "Subtitle 14.
 28 Nursing Homes - Civil Money Penalties", respectively
 29 Annotated Code of Maryland
 30 (1996 Replacement Volume and 1996 Supplement)

31 to be

32 Article - Consumer Health Care Protection
 33 Section 2-501 through 2-506 and the subtitle "Subtitle 5. Advisory Committee on
 34 Practice Parameters"; 3-101 through 3-126 and the subtitle "Subtitle 1.
 35 Comprehensive Health Planning"; 3-201 through 3-222 and the subtitle
 36 "Subtitle 2. Health Services Cost Review Commission"; 3-301 through 3-315
 37 and the subtitle "Subtitle 3. Maryland Health Care Access and Cost
 38 Commission"; 3-3A-01 through 3-3A-06 and the subtitle "Subtitle 3A.
 39 Freestanding Medical Facilities"; 3-3B-01 through 3-3B-09 and the subtitle
 40 "Subtitle 3B. Freestanding Ambulatory Care Facilities"; 3-401 through 3-474
 41 and the subtitle "Subtitle 4. Hospitals and Related Institutions"; 3-501
 42 through 3-510 and the subtitle "Subtitle 5. Home Health Agencies"; 3-5A-01
 43 through 3-5A-10 and the subtitle "Subtitle 5A. Residential Service Agencies";
 44 3-601 through 3-613 and the subtitle "Subtitle 6. Chronic Disease Centers";
 45 4-101 through 4-135 and the title "Title 4. Health Maintenance

3

1 Organizations"; 8-101 through 8-113 and the subtitle "Subtitle 1. Hospice
 2 Care Facilities"; 8-201 through 8-208 and the subtitle "Subtitle 2.
 3 Comprehensive Physical Rehabilitation Facilities"; 8-301 through 8-313 and
 4 the subtitle "Subtitle 3. Private Review Agents"; and 8-401 through 8-409 and
 5 the subtitle "Subtitle 4. Nursing Homes - Civil Money Penalties", respectively
 6 Annotated Code of Maryland

7 BY transferring

8 Article - Insurance
 9 Section 15-101 through 15-1307 and the title "Title 15. Health Insurance",
 10 respectively
 11 Annotated Code of Maryland
 12 (1995 Volume and 1996 Supplement)
 13 (As enacted by Chapter _____ (H.B. 11) of the Acts of the General Assembly of
 14 1997)

15 to be

16 Article - Consumer Health Care Protection
 17 Section 9-101 through 9-1307 and the title "Title 9. Health Insurance", respectively
 18 Annotated Code of Maryland

19 BY adding to

20 Article - Consumer Health Care Protection
 21 Section 1-101 through 1-206 and the title "Title 1. Definitions and General
 22 Provisions"; 2-101 through 2-413 and the title "Title 2. Office of Consumer
 23 Health Care Protection"; 3-114(f), 3-115(o), 3-116(d), 3-308(d), and the title
 24 "Title 3. Health Care Facilities"; 5-101 through 5-609 and the title "Title 5.
 25 General Requirements for Health Insurers"; 6-101 through 6-121 and the
 26 title "Title 6. Third Party Administrators"; and 7-101 through 7-807 and the
 27 title "Title 7. Maryland Health Insurance Acquisitions, Disclosure, and
 28 Control Act"; and the title designation "Title 8. Health Facilities Regulation
 29 and Private Review Agents"
 30 Annotated Code of Maryland

31 BY repealing and reenacting, with amendments,

32 Article - Consumer Health Care Protection
 33 Section 3-101(d), 3-103, 3-104(a)(1)(i), 3-107, 3-112, 3-114.1(a), 3-120, 3-125,
 34 3-201(b), 3-202, 3-207, 3-207.3(b), 3-219(g)(1), and the amended subtitle
 35 "Subtitle 2. Health Services Cost Review Advisory Commission"; 3-301(b),
 36 3-305(c), 3-307, 3-308(a)(1), 3-309(g), and the amended subtitle "Subtitle 3.
 37 Maryland Health Care Access and Cost Advisory Commission"; 3-3A-02,
 38 3-3A-03, 4-101(f), 4-105, 4-105.2, 4-111, 4-111.2, 4-111.3, 4-112.3(e), and
 39 4-112.4(e)
 40 Annotated Code of Maryland
 41 (As enacted by Section 4 of this Act)

42 BY repealing and reenacting, with amendments,

4

- 1 Article - Insurance
- 2 Section 4-209(a), 6-101(a) and (b), 6-102(c), 6-104(a), and 6-107(a)
- 3 Annotated Code of Maryland
- 4 (1995 Volume and 1996 Supplement)
- 5 (As enacted by Chapter 36 of the Acts of the General Assembly of 1995)

6 THE FULL TEXT OF THIS BILL IS NOT AVAILABLE BECAUSE OF ITS SIZE.
7 PLEASE CALL THE PUBLIC INFORMATION DESK OF THE DEPARTMENT OF
8 LEGISLATIVE REFERENCE AT 410-841-3810 FOR FURTHER INFORMATION.