
By: Delegate Morhaim

Introduced and read first time: January 22, 1997

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Health Maintenance Organizations - Reimbursement - Emergency Follow-Up Care**

3 FOR the purpose of requiring health maintenance organizations to reimburse physicians
4 in emergency facilities for certain care under certain circumstances; prohibiting
5 health maintenance organizations from imposing certain co-payment or
6 cost-sharing provisions on members or subscribers under certain circumstances; and
7 generally relating to health maintenance organizations and reimbursement for
8 certain care provided in emergency facilities.

9 BY adding to

10 Article - Health - General
11 Section 19-712.6
12 Annotated Code of Maryland
13 (1996 Replacement Volume and 1996 Supplement)

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

16 **Article - Health - General**

17 19-712.6.

18 (A) IF A HEALTH MAINTENANCE ORGANIZATION AUTHORIZES, DIRECTS,
19 REFERS, OR OTHERWISE ALLOWS A MEMBER OR SUBSCRIBER OF THE HEALTH
20 MAINTENANCE ORGANIZATION TO USE AN EMERGENCY FACILITY AND THE
21 CONDITION FOR WHICH THE MEMBER OR SUBSCRIBER USES THE EMERGENCY
22 FACILITY RESULTS IN THE PERFORMANCE OF A SURGICAL PROCEDURE, THE
23 HEALTH MAINTENANCE ORGANIZATION:

24 (1) SHALL REIMBURSE A PHYSICIAN IN THE EMERGENCY FACILITY FOR
25 PROVIDING ANY MEDICALLY NECESSARY FOLLOW-UP CARE RELATED TO THE
26 CONDITION FOR WHICH THE SURGICAL PROCEDURE WAS PERFORMED; AND

27 (2) MAY NOT IMPOSE ON THE MEMBER OR SUBSCRIBER ANY
28 CO-PAYMENT OR OTHER COST-SHARING PROVISION THAT EXCEEDS WHAT THE
29 MEMBER OR SUBSCRIBER MUST PAY TO SEE A PHYSICIAN WHO IS A MEMBER OF THE
30 PROVIDER PANEL OF THE HEALTH MAINTENANCE ORGANIZATION.

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1 (B) SUBSECTION (A) OF THIS SECTION APPLIES REGARDLESS OF WHETHER A
2 PHYSICIAN IS A MEMBER OF THE PROVIDER PANEL OF A HEALTH MAINTENANCE
3 ORGANIZATION.

4 (C) A HEALTH MAINTENANCE ORGANIZATION SHALL REIMBURSE A
5 PHYSICIAN UNDER THIS SECTION ONLY FOR PROCEDURES PERFORMED DURING
6 THE GLOBAL FOLLOW-UP PERIOD GENERALLY ACCEPTED IN THE PROFESSION.

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