

By: Senators Young and Trotter

Introduced and read first time: January 31, 1997

Assigned to: Finance

SENATE JOINT RESOLUTION

1 A Senate Joint Resolution concerning

2 **Health Care Consumers' Bill of Rights**

3 FOR the purpose of providing a Health Care Consumers' Bill of Rights, applicable to
4 health maintenance organizations, managed care organizations, physicians'
5 networks, hospital delivery systems, and other health care provider organizations
6 authorized to operate in Maryland.

7 WHEREAS, Maryland is consistently ranked as one of the top four or five states in
8 the nation in the degree of managed care penetration; and

9 WHEREAS, The degree of managed care penetration in Maryland will continue to
10 grow; and

11 WHEREAS, Growth in managed care should be encouraged, but fostered in a
12 manner that is culturally sensitive to the unique needs and concerns of the citizens of
13 Maryland; and

14 WHEREAS, The appropriate inclusion of culturally and ethnically diverse health
15 care providers on managed care organizations' panels is in the best interest of the citizens
16 of Maryland; now, therefore, be it

17 **RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND,** That the
18 following Health Care Consumers' Bill of Rights is hereby adopted:

19 Health care consumers should have the right to relevant information about how
20 managed care works in order to make informed decisions regarding how they will receive
21 health care services, including information on how to educate themselves on their
22 responsibilities.

23 Health care consumers should have the right to choose health care providers within
24 their managed care organization who meet high standards of professional training and
25 experience.

26 Health care consumers should have the freedom to change primary care providers
27 within the terms of the managed care contract in order to build active positive
28 partnerships between health care consumers and providers.

29 Health care consumers should have the right, in clear and understandable language,
30 to know what the grievance procedure is within a managed care organization and how to
31 access it.

2 **Health Care Consumers' Bill of Rights**

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1 Health care consumers should have the right to timely and appropriate access,
2 including geographic access, to the health care delivery system.

3 Health care consumers should have the right to demand the highest standards of the
4 medical practice and information stated in laypersons' terms.

5 Health care consumers should have the right to information about the services
6 available from, the education of, and the Board certification of health care providers.

7 Consumer members of managed care organizations should have the right to a
8 formal mechanism to provide information and advice to their managed care organization.

9 Health care consumers should have the right to select a health care provider from a
10 diverse panel of providers that reasonably represent their immediate communities.

11 Health care consumers should have the right to respect, dignity, confidentiality, and
12 privacy, as provided by current State law.

13 Health care consumers should have the right to receive quality health care.

14 Health care consumers should have the right to review their own medical records
15 with their physicians, as provided by current State law.

16 Health care consumers should have the right to speak to a provider when medically
17 necessary after hours, 7 days per week.

18 Health care consumers should have the right to information on the possible
19 consequences of treatments and the failure to comply with their treatment programs.

20 Health care consumers should have the right to participate in decisions concerning
21 their health care.

22 Health care consumers should have the right to receive services without
23 discrimination under State law.

24 Health care consumers should have the right to receive health care in facilities that
25 comply with the Americans with Disabilities Act.

26 Health care consumers should have the right to expect all personnel of their
27 managed care organization to be supervised and qualified; and be it further

28 **RESOLVED**, That a copy of this Resolution be forwarded to all health
29 maintenance organizations issued a certificate of authority to operate by the Insurance
30 Commissioner, all Medicaid managed care organizations authorized by the Secretary of
31 Health and Mental Hygiene, and appropriate provider organizations, including
32 physicians' networks and hospital delivery systems as determined by the Secretary of
33 Health and Mental Hygiene; and be it further

34 **RESOLVED**, That a copy of this Resolution be forwarded by the Department of
35 Legislative Reference to the Honorable Parris N. Glendening, Governor of Maryland; the
36 Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; and the
37 Honorable Casper R. Taylor, Jr., Speaker of the House of Delegates.