
By: **Delegates Guns, Weir, Morhaim, Elliott, McHale, Hammen, Stup,
Nathan-Pulliam, Walkup, and W. Baker**

Introduced and read first time: February 13, 1998

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Health Maintenance Organizations - Quality of Care Standards -**
3 **Appointment Times**

4 FOR the purpose of requiring that health maintenance organizations provide certain
5 services to a member within a certain time after a member has requested an
6 appointment with a physician; requiring the Department of Health and Mental
7 Hygiene to take certain action by a certain date; making stylistic changes; and
8 generally relating to quality of care standards and health maintenance
9 organizations.

10 BY repealing and reenacting, with amendments,
11 Article - Health - General
12 Section 19-705.1(b)
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 1997 Supplement)

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

17 **Article - Health - General**

18 19-705.1.

19 (b) The standards of quality of care shall include:

20 (1) (i) A requirement that a health maintenance organization shall
21 provide for regular hours during which a member may receive [services, including
22 providing for services to a member in a timely manner that takes into account the
23 immediacy of need for services; and] SERVICES;

24 (II) A REQUIREMENT THAT A HEALTH MAINTENANCE
25 ORGANIZATION SHALL PROVIDE SERVICES TO A MEMBER IN A TIMELY MANNER
26 THAT TAKES INTO ACCOUNT THE IMMEDIACY OF NEED FOR SERVICES, INCLUDING
27 PROVIDING SERVICES TO A MEMBER WITHIN A REASONABLE TIME AFTER A MEMBER

1 HAS REQUESTED AN APPOINTMENT WITH A PHYSICIAN OR HAS REQUESTED A
2 FOLLOW-UP APPOINTMENT WITH A PHYSICIAN; AND

3 [(ii)] (III) Provisions for assuring that all covered services, including
4 any services for which the health maintenance organization has contracted, are
5 accessible to the enrollee with reasonable safeguards with respect to geographic
6 locations[.];

7 (2) A requirement that a health maintenance organization shall have a
8 system for providing a member with 24-hour access to a physician in cases where
9 there is an immediate need for medical services, and for promoting timely access to
10 and continuity of health care services for members, including:

11 (i) Providing 24-hour access by telephone to a person who is able
12 to appropriately respond to calls from members and providers concerning after-hours
13 care; and

14 (ii) Providing a 24-hour toll free telephone access system for use in
15 hospital emergency departments in accordance with § 19-705.6 of this subtitle[.];

16 (3) A requirement that any nonparticipating provider shall submit to the
17 health maintenance organization the appropriate documentation of the medical
18 complaint of the member and the services rendered;

19 (4) A requirement that a health maintenance organization shall have a
20 physician available at all times to provide diagnostic and treatment services;

21 (5) A requirement that a health maintenance organization shall assure
22 that:

23 (i) Each member who is seen for a medical complaint is evaluated
24 under the direction of a physician; and

25 (ii) Each member who receives diagnostic evaluation or treatment
26 is under the direct medical management of a health maintenance organization
27 physician who provides continuing medical management; and

28 (6) A requirement that each member shall have an opportunity to select
29 a primary physician from among those available to the health maintenance
30 organization.

31 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of
32 Health and Mental Hygiene shall adopt regulations not later than November 1, 1998
33 in accordance with this Act that establish specific time frames within which a health
34 maintenance organization must schedule a member for a visit after the member has
35 requested an appointment with a physician or has requested a follow-up
36 appointment with a physician.

37 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
38 July 1, 1998.

