
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

Committee Report: Favorable

House action: Adopted

Read second time: March 24, 1998

CHAPTER _____

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

1 providing for services to a member in a timely manner that takes into account the
2 immediacy of need for services; and] SERVICES;

3 (II) A REQUIREMENT THAT A HEALTH MAINTENANCE
4 ORGANIZATION SHALL PROVIDE SERVICES TO A MEMBER IN A TIMELY MANNER
5 THAT TAKES INTO ACCOUNT THE IMMEDIACY OF NEED FOR SERVICES, INCLUDING
6 PROVIDING SERVICES TO A MEMBER WITHIN A REASONABLE TIME AFTER A MEMBER
7 HAS REQUESTED AN APPOINTMENT WITH A PHYSICIAN OR HAS REQUESTED A
8 FOLLOW-UP APPOINTMENT WITH A PHYSICIAN; AND

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

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

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

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

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

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

27 (5) A requirement that a health maintenance organization shall assure
28 that:

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

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

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

37 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of
38 Health and Mental Hygiene shall adopt regulations not later than November 1, 1998

1 in accordance with this Act that establish specific time frames within which a health
2 maintenance organization must schedule a member for a visit after the member has
3 requested an appointment with a physician or has requested a follow-up
4 appointment with a physician.

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