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**Article - Health - General**

2 19-706.

3 (i) The provisions of §§ 15-105, 15-112, 15-113, 15-804, and 15-812 of the  
4 Insurance Article shall apply to health maintenance organizations.

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**Article - Insurance**

6 15-113.

7 (a) (1) In this section the following words have the meanings indicated.

8 (2) "Carrier" means:

9 (i) an insurer;

10 (ii) a nonprofit health service plan;

11 (iii) a health maintenance organization;

12 (iv) a dental plan organization; or

13 (v) any other person that provides health benefit plans subject to  
14 regulation by the State.

15 (3) "Health care practitioner" means an individual who is licensed,  
16 certified, or otherwise authorized under the Health Occupations Article to provide  
17 health care services.

18 (b) A carrier may not reimburse a health care practitioner in an amount less  
19 than the sum or rate negotiated in the carrier's provider contract with the health care  
20 practitioner.

21 (c) This section does not prohibit a carrier from providing bonuses or other  
22 incentive-based compensation to a health care practitioner if the bonus or other  
23 incentive-based compensation does not:

24 (1) violate § 19-705.1 of the Health - General Article; or

25 (2) deter the delivery of medically appropriate care to an enrollee.

26 (D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A  
27 CARRIER MAY NOT REIMBURSE A HEALTH CARE PRACTITIONER IN AN AMOUNT THAT  
28 IS LESS THAN THE COST TO THE HEALTH CARE PRACTITIONER FOR THE COST OF A  
29 ~~DRUG~~ AN ONCOLOGY DRUG COVERED UNDER THE PATIENT'S HEALTH BENEFIT  
30 POLICY, PLAN, OR CERTIFICATE USED BY THE HEALTH CARE PRACTITIONER IN  
31 TREATING A PATIENT IN THE OFFICE OF THE HEALTH CARE PRACTITIONER.

32 (2) A CARRIER MAY REIMBURSE A HEALTH CARE PRACTITIONER AN  
33 AMOUNT THAT IS LESS THAN THE COST TO THE HEALTH CARE PRACTITIONER FOR

1 THE COST OF A AN ONCOLOGY DRUG USED BY THE HEALTH CARE PRACTITIONER IN  
2 TREATING A PATIENT IN THE OFFICE OF THE HEALTH CARE PRACTITIONER IF THE  
3 CARRIER PROVIDES AN ALTERNATIVE MECHANISM OR PROGRAM FOR THE HEALTH  
4 CARE PRACTITIONER TO USE TO OBTAIN THE ~~DRUG THAT IS NOT UNDULY~~  
5 ~~BURDENSOME ON THE HEALTH CARE PRACTITIONER OR THE PATIENT~~ ONCOLOGY  
6 DRUG.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 1998.