
By: **Delegates Barve and Goldwater**
Introduced and read first time: February 11, 1999
Assigned to: Economic Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 17, 1999

CHAPTER _____

1 AN ACT concerning

2 **Continuity of Patient Care Act**

3 FOR the purpose of requiring a health maintenance organization that allows a
4 member or subscriber to receive certain emergency medical services, under
5 ~~certain circumstances~~, to reimburse a ~~physician in an urgent care facility~~
6 certain health care provider who provides certain medically necessary follow-up
7 care ~~to a member or subscriber of the health maintenance organization~~;
8 prohibiting a health maintenance organization, under certain circumstances,
9 from imposing on a member or subscriber any co-payment or other cost-sharing
10 requirement that exceeds what the member or subscriber is required to pay for
11 services rendered by a ~~physician~~ health care provider who is a member of the
12 provider panel of the health maintenance organization; and generally relating to
13 health maintenance organizations.

14 BY adding to
15 Article - Health - General
16 Section ~~19-712.7~~ 19-712.5(f)
17 Annotated Code of Maryland
18 (1996 Replacement Volume and 1998 Supplement)

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

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Article - Health - General2 ~~19-712.7.~~

3 ~~IF A HEALTH MAINTENANCE ORGANIZATION AUTHORIZES, DIRECTS, REFERS,~~
4 ~~OR OTHERWISE ALLOWS A MEMBER OR SUBSCRIBER OF THE HEALTH MAINTENANCE~~
5 ~~ORGANIZATION TO USE A MEDICAL FACILITY THAT PROVIDES IMMEDIATE URGENT~~
6 ~~CARE SERVICES FOR A CONDITION THAT READILY NECESSITATES A SURGICAL~~
7 ~~PROCEDURE, THE HEALTH MAINTENANCE ORGANIZATION:~~

8 ~~(1) SHALL REIMBURSE A PHYSICIAN IN THE URGENT CARE FACILITY~~
9 ~~FOR PROVIDING ANY MEDICALLY NECESSARY FOLLOW-UP CARE RELATED TO THE~~
10 ~~CONDITION FOR WHICH THE SURGICAL PROCEDURE WAS PERFORMED; AND~~

11 ~~(2) MAY NOT IMPOSE ON THE MEMBER OR SUBSCRIBER ANY~~
12 ~~CO-PAYMENT OR OTHER COST-SHARING REQUIREMENT THAT EXCEEDS WHAT THE~~
13 ~~MEMBER OR SUBSCRIBER IS REQUIRED TO PAY FOR SERVICES RENDERED BY A~~
14 ~~PHYSICIAN WHO IS A MEMBER OF THE PROVIDER PANEL OF THE HEALTH~~
15 ~~MAINTENANCE ORGANIZATION.~~

16 19-712.5.

17 (F) IF A HEALTH MAINTENANCE ORGANIZATION AUTHORIZES, DIRECTS,
18 REFERS, OR OTHERWISE ALLOWS A MEMBER OR SUBSCRIBER TO ACCESS A HOSPITAL
19 EMERGENCY FACILITY OR OTHER URGENT CARE FACILITY FOR A MEDICAL
20 CONDITION THAT REQUIRES EMERGENCY SURGERY, THE HEALTH MAINTENANCE
21 ORGANIZATION:

22 (1) SHALL REIMBURSE THE PHYSICIAN, ORAL SURGEON, PERIODONTIST, OR
23 PODIATRIST, WHO PERFORMED THE SURGICAL PROCEDURE, FOR FOLLOW-UP CARE
24 THAT IS:

25 (I) MEDICALLY NECESSARY;

26 (II) DIRECTLY RELATED TO THE CONDITION FOR WHICH THE
27 SURGICAL PROCEDURE WAS PERFORMED; AND

28 (III) PROVIDED IN CONSULTATION WITH THE MEMBER'S OR
29 SUBSCRIBER'S PRIMARY CARE PHYSICIAN; AND

30 (2) MAY NOT IMPOSE ON THE MEMBER OR SUBSCRIBER ANY
31 CO-PAYMENT OR OTHER COST-SHARING REQUIREMENT FOR ANY FOLLOW-UP CARE
32 THAT EXCEEDS WHAT A MEMBER OR SUBSCRIBER IS REQUIRED TO PAY FOR
33 SERVICES RENDERED BY A PHYSICIAN, ORAL SURGEON, PERIODONTIST, OR
34 PODIATRIST WHO IS A MEMBER OF THE PROVIDER PANEL OF THE HEALTH
35 MAINTENANCE ORGANIZATION.

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
37 October 1, 1999.

