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By: **Delegates Eckardt, Donoghue, Conway, and Bozman**

Introduced and read first time: February 11, 1999

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance - Provider Panels**

3 FOR the purpose of providing that certain health insurance carriers may not prohibit  
4 a primary care provider from referring an enrollee to any provider on a carrier's  
5 provider panel for health care services within that provider's lawful scope of  
6 practice; providing that certain health insurance carriers may not prohibit a  
7 provider on a carrier's provider panel from rendering to an enrollee a health  
8 care service that is within the provider's lawful scope of practice; and generally  
9 relating to health insurance carriers' provider panels.

10 BY repealing and reenacting, with amendments,

11 Article - Insurance

12 Section 15-112(f)

13 Annotated Code of Maryland

14 (1997 Volume and 1998 Supplement)

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

17 **Article - Insurance**

18 15-112.

19 (f) (1) A carrier may not deny an application for participation or terminate  
20 participation on its provider panel solely on the basis of the license, certification, or  
21 other authorization of the provider to provide health care services if the carrier  
22 provides health care services within the provider's lawful scope of practice.

23 (2) Notwithstanding paragraph (1) of this subsection, a carrier may  
24 reject an application for participation or terminate participation on its provider panel  
25 based on the participation on the provider panel of a sufficient number of similarly  
26 qualified providers.

27 (3) (I) A CARRIER MAY NOT PROHIBIT A PRIMARY CARE PROVIDER  
28 FROM REFERRING AN ENROLLEE TO ANY PROVIDER ON THE CARRIER'S PROVIDER

1 PANEL FOR HEALTH CARE SERVICES WITHIN THAT PROVIDER'S LAWFUL SCOPE OF  
2 PRACTICE.

3 (II) A CARRIER MAY NOT PROHIBIT A PROVIDER ON ITS PROVIDER  
4 PANEL FROM RENDERING TO AN ENROLLEE A HEALTH CARE SERVICE THAT IS  
5 WITHIN THE PROVIDER'S LAWFUL SCOPE OF PRACTICE.

6 [(3)] (4) A violation of this subsection does not create a new cause of  
7 action.

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