

SENATE BILL 475

Unofficial Copy  
J4

1999 Regular Session  
(9r1658)

**ENROLLED BILL**  
-- Finance/Economic Matters --

Introduced by **Senators Dorman and Astle**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
President.

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; providing for the  
13 application of this Act; and generally relating to health maintenance  
14 organizations.

15 BY adding to  
16 Article - Health - General

1 Section ~~49-712.7~~ 19-712.5(f)  
2 Annotated Code of Maryland  
3 (1996 Replacement Volume and 1998 Supplement)

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

6 **Article - Health - General**

7 ~~49-712.7.~~

8 ~~IF A HEALTH MAINTENANCE ORGANIZATION AUTHORIZES, DIRECTS, REFERS,~~  
9 ~~OR OTHERWISE ALLOWS A MEMBER OR SUBSCRIBER OF THE HEALTH MAINTENANCE~~  
10 ~~ORGANIZATION TO USE A MEDICAL FACILITY THAT PROVIDES IMMEDIATE URGENT~~  
11 ~~CARE SERVICES FOR A CONDITION THAT READILY NECESSITATES A SURGICAL~~  
12 ~~PROCEDURE, THE HEALTH MAINTENANCE ORGANIZATION:~~

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

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

21 19-712.5.

22 (F) IF A HEALTH MAINTENANCE ORGANIZATION AUTHORIZES, DIRECTS,  
23 REFERS, OR OTHERWISE ALLOWS A MEMBER OR SUBSCRIBER TO ACCESS A HOSPITAL  
24 EMERGENCY FACILITY OR OTHER URGENT CARE FACILITY FOR A MEDICAL  
25 CONDITION THAT REQUIRES EMERGENCY SURGERY, THE HEALTH MAINTENANCE  
26 ORGANIZATION:

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

30 (I) MEDICALLY NECESSARY;

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

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

35 (2) MAY NOT IMPOSE ON THE MEMBER OR SUBSCRIBER ANY  
36 CO-PAYMENT OR OTHER COST-SHARING REQUIREMENT FOR ANY FOLLOW-UP CARE  
37 THAT EXCEEDS WHAT A MEMBER OR SUBSCRIBER IS REQUIRED TO PAY FOR

1 SERVICES RENDERED BY A PHYSICIAN, ORAL SURGEON, PERIODONTIST, OR  
2 PODIATRIST WHO IS A MEMBER OF THE PROVIDER PANEL OF THE HEALTH  
3 MAINTENANCE ORGANIZATION.

4 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all~~  
5 ~~policies, contracts, and health benefit plans issued, delivered, or renewed in the State~~  
6 ~~on or after October 1, 1999. Any policy or health benefit plan in effect before October~~  
7 ~~1, 1999, shall comply with the provisions of this Act no later than October 1, 2000.~~

8 SECTION ~~2.~~ 3. 2. AND BE IT FURTHER ENACTED, That this Act shall take  
9 effect October 1, 1999.