

SENATE BILL 475

Unofficial Copy  
J4

1999 Regular Session  
9r1658  
CF 9r1718

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By: **Senators Dorman and Astle**  
Introduced and read first time: February 5, 1999  
Assigned to: Finance

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 18, 1999

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

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

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**Article - Health - General**2 ~~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,  
23 OR PODIATRIST, WHO PERFORMED THE SURGICAL PROCEDURE, FOR FOLLOW-UP  
24 CARE 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 apply to all  
37 policies, contracts, and health benefit plans issued, delivered, or renewed in the State

1 on or after October 1, 1999. Any policy or health benefit plan in effect before October  
2 1, 1999, shall comply with the provisions of this Act no later than October 1, 2000.

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