

SENATE BILL 359

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2000 Regular Session  
(01r1654)

*ENROLLED BILL*  
*-- Finance/Environmental Matters --*

Introduced by **Senators Exum, Bromwell, DeGrange, Della, Dorman, Hooper,  
and Teitelbaum**

Read and Examined by Proofreaders:

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

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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 **Medical Assistance - Program Recipients - Continuity of Care**

3 FOR the purpose of requiring the Department of Health and Mental Hygiene to  
4 establish certain mechanisms for identifying the primary care provider of a  
5 recipient of medical assistance and maintaining continuity of care with that  
6 provider; requiring a managed care organization, under certain circumstances,  
7 to assign a recipient of medical assistance to a particular primary care provider  
8 and to honor a request to change primary care providers; allowing a recipient to  
9 disenroll from a managed care organization under certain circumstances;  
10 requiring the Department to provide a certain notification; and generally  
11 relating to the Maryland Medical Assistance Program and continuity of care for  
12 program recipients.

13 BY repealing and reenacting, with amendments,  
14 Article - Health - General  
15 Section 15-102.5 and 15-103(b)(23)

1 Annotated Code of Maryland  
2 (1994 Replacement Volume and 1999 Supplement)

3 BY adding to  
4 Article - Health - General  
5 Section 15-103(f)  
6 Annotated Code of Maryland  
7 (1994 Replacement Volume and 1999 Supplement)

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

10 **Article - Health - General**

11 15-102.5.

12 (a) [A] SUBJECT TO § 15-103(F) OF THIS SUBTITLE, A health maintenance  
13 organization that requires its panel providers to participate in a managed care  
14 organization shall establish a mechanism, subject to review by the Secretary, which  
15 provides for equitable distribution of enrollees and which ensures that a provider will  
16 not be assigned a disproportionate number of enrollees.

17 (b) Nothing in this section may be interpreted as prohibiting a provider from  
18 voluntarily accepting additional enrollees.

19 15-103.

20 (b) (23) (i) The Department shall adopt regulations relating to enrollment,  
21 disenrollment, and enrollee appeals.

22 (ii) [An] SUBJECT TO SUBSECTION (F)(4) AND (5) OF THIS SECTION,  
23 AN enrollee may disenroll from a managed care organization:

24 1. Without cause in the month following the anniversary  
25 date of the enrollee's enrollment; and

26 2. For cause, at any time as determined by the Secretary.

27 (F) (1) THE DEPARTMENT SHALL ESTABLISH MECHANISMS FOR:

28 (I) IDENTIFYING A PROGRAM RECIPIENT'S PRIMARY CARE  
29 PROVIDER AT THE TIME OF ENROLLMENT INTO A MANAGED CARE PROGRAM; AND

30 (II) MAINTAINING CONTINUITY OF CARE WITH THE PRIMARY CARE  
31 PROVIDER IF:

32 1. THE PROVIDER HAS A CONTRACT WITH A MANAGED CARE  
33 ORGANIZATION OR A CONTRACTED MEDICAL GROUP OF A MANAGED CARE  
34 ORGANIZATION TO PROVIDE PRIMARY CARE SERVICES; AND



1                                    C.       THE PROVIDER AND THE MANAGED CARE ORGANIZATION  
2 OR CONTRACTED GROUP OF THE MANAGED CARE ORGANIZATION ARE UNABLE TO  
3 NEGOTIATE A MUTUALLY ACCEPTABLE RATE; ~~AND~~ OR

4                                    3.        THE PROVIDER CONTRACT BETWEEN THE PROVIDER AND  
5 THE MANAGED CARE ORGANIZATION IS TERMINATED BECAUSE THE MANAGED CARE  
6 ORGANIZATION IS ACQUIRED BY ANOTHER ENTITY; AND

7                                    (II)     1.       THE PROGRAM RECIPIENT DESIRES TO CONTINUE TO  
8 RECEIVE CARE FROM THE PRIMARY CARE PROVIDER;

9                                    2.       THE PROVIDER CONTRACTS WITH AT LEAST ONE OTHER  
10 MANAGED CARE ORGANIZATION OR CONTRACTED GROUP OF A MANAGED CARE  
11 ORGANIZATION; AND

12                                  3.       THE ENROLLEE NOTIFIES THE DEPARTMENT OR THE  
13 DEPARTMENT'S DESIGNEE OF THE ENROLLEE'S INTENTION WITHIN 90 DAYS AFTER  
14 THE CONTRACT TERMINATION.

15                                  (6)     THE DEPARTMENT SHALL PROVIDE TIMELY NOTIFICATION TO THE  
16 AFFECTED MANAGED CARE ORGANIZATION OF AN ENROLLEE'S INTENTION TO  
17 DISENROLL UNDER THE PROVISIONS OF PARAGRAPH (5) OF THIS SUBSECTION.

18       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2000.