
By: **Senators Roesser and Teitelbaum**
Introduced and read first time: February 2, 2001
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance - Requirements for Providers to Serve on Provider**
3 **Panels - Dental Plans**

4 FOR the purpose of prohibiting a carrier that offers coverage for dental care services
5 through certain health benefit plans or contracts with dentists to offer dental
6 care services through provider panels from requiring a dentist, as a condition of
7 participation or continuation on a provider panel, to serve on another provider
8 panel under certain circumstances; altering a certain definition; and generally
9 relating to requirements for providers of health care services to serve on
10 provider panels.

11 BY repealing and reenacting, without amendments,
12 Article - Insurance
13 Section 15-112(a)
14 Annotated Code of Maryland
15 (1997 Volume and 2000 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - Insurance
18 Section 15-112(l)
19 Annotated Code of Maryland
20 (1997 Volume and 2000 Supplement)

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

23 **Article - Insurance**

24 15-112.

25 (a) (1) In this section the following words have the meanings indicated.

26 (2) (i) "Carrier" means:

27 1. an insurer;

- 1 2. a nonprofit health service plan;
- 2 3. a health maintenance organization;
- 3 4. a dental plan organization; or
- 4 5. any other person that provides health benefit plans
- 5 subject to regulation by the State.

6 (ii) "Carrier" includes an entity that arranges a provider panel for a
7 carrier.

8 (3) "Enrollee" means a person entitled to health care benefits from a
9 carrier.

10 (4) "Provider" means a health care practitioner or group of health care
11 practitioners licensed, certified, or otherwise authorized by law to provide health care
12 services.

13 (5) (i) "Provider panel" means the providers that contract either
14 directly or through a subcontracting entity with a carrier to provide health care
15 services to the carrier's enrollees under the carrier's health benefit plan.

16 (ii) "Provider panel" does not include an arrangement in which any
17 provider may participate solely by contracting with the carrier to provide health care
18 services at a discounted fee-for-service rate.

19 (1) (1) (i) In this subsection the following words have the meanings
20 indicated.

21 (ii) 1. "Health benefit plan" has the meaning stated in § 15-1201
22 of this title.

23 2. "HEALTH BENEFIT PLAN" INCLUDES DENTAL PLANS AND
24 OTHER HEALTH BENEFIT PLANS THAT CONTRACT WITH DENTISTS TO OFFER
25 DENTAL CARE SERVICES.

26 (iii) "Provider panel" includes an arrangement in which any
27 provider may participate solely by contracting with the carrier to provide health care
28 services at a discounted fee-for-service rate.

29 (2) Except as provided in paragraph (3) of this subsection, a carrier that
30 offers coverage for health care services through one or more health benefit plans or
31 contracts with providers to offer health care services through one or more provider
32 panels may not require a provider, as a condition of participation or continuation on a
33 provider panel for one health benefit plan of a carrier, to serve also on a provider
34 panel of another health benefit plan of the carrier.

35 (3) Subject to § 15-102.5 of the Health - General Article, a carrier that
36 offers health care services as a managed care organization as defined under §

1 15-101(f) of the Health - General Article, may require a provider, as a condition of
2 participation on a provider panel for one or more health benefit plans of the carrier, to
3 serve on a provider panel of the managed care organization.

4 (4) If a provider elects to terminate participation on the provider panel of
5 a health benefit plan, the provider shall:

6 (i) notify the carrier at least 90 days before the date of termination;
7 and

8 (ii) for at least 90 days after the date of the notice of termination,
9 continue to furnish health care services to an enrollee of the carrier for whom the
10 provider was responsible for the delivery of health care services prior to the notice of
11 termination.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2001.