
By: **Senator Astle**
Introduced and read first time: February 2, 2001
Assigned to: Finance

Committee Report: Favorable
Senate action: Adopted with floor amendments
Read second time: March 13, 2001

CHAPTER _____

1 AN ACT concerning

2 **Health Maintenance Organizations - Reimbursement of Noncontracting**
3 **~~Providers-~~ Providers for Services Rendered to Trauma Patients at**
4 **Designated Trauma Centers**

5 FOR the purpose of requiring a health maintenance organization to pay certain
6 claims submitted by ~~certain~~ noncontracting providers of ~~medical care~~ health
7 care services rendered to a trauma patient in certain trauma centers at a certain
8 rate under certain circumstances; providing for the termination of this Act
9 under certain circumstances; and generally relating to the reimbursement of
10 noncontracting providers by health maintenance organization for ~~medical care~~
11 health care services rendered at a trauma center.

12 BY repealing and reenacting, with amendments,
13 Article - Health - General
14 Section 19-710.1(b)
15 Annotated Code of Maryland
16 (2000 Replacement Volume)

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

19 **Article - Health - General**

20 19-710.1.

21 (b) (1) In addition to any other provisions of this subtitle, for a covered
22 service rendered to an enrollee of a health maintenance organization by a health care

1 provider not under written contract with the health maintenance organization, the
2 health maintenance organization or its agent:

3 (i) Shall pay the health care provider within 30 days after the
4 receipt of a claim in accordance with the applicable provisions of this subtitle; and

5 (ii) Shall pay the claim submitted by:

6 1. A hospital at the rate approved by the Health Services
7 Cost Review Commission; [and]

8 ~~2. A PROVIDER OF MEDICAL CARE RENDERED AT A TRAUMA~~
9 ~~CENTER, AS DESIGNATED BY THE MARYLAND INSTITUTE OF EMERGENCY MEDICAL~~
10 ~~SERVICES SYSTEM, AT THE RATE BILLED OR AT THE USUAL, CUSTOMARY, AND~~
11 ~~REASONABLE RATE; AND~~

12 2. A HEALTH CARE PROVIDER FOR SERVICES RENDERED TO
13 A TRAUMA PATIENT IN A TRAUMA CENTER, AS DESIGNATED BY THE MARYLAND
14 INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS, AT THE GREATER OF:

15 A. 140% OF THE RATE PAID BY THE MEDICARE PROGRAM, AS
16 PUBLISHED BY THE HEALTH CARE FINANCING ADMINISTRATION, FOR THE SAME
17 COVERED SERVICE, TO A SIMILARLY LICENSED PROVIDER; OR

18 B. THE RATE AS OF JANUARY 1, 2001 THAT THE HEALTH
19 MAINTENANCE ORGANIZATION PAID IN THE SAME GEOGRAPHIC AREA, FOR THE
20 SAME COVERED SERVICE, TO A SIMILARLY LICENSED PROVIDER; AND

21 3. Any other health care provider at the greater of:

22 A. 125% of the rate the health maintenance organization
23 pays in the same geographic area, for the same covered service, to a similarly licensed
24 provider under written contract with the health maintenance organization; or

25 B. The rate as of January 1, 2000 that the health
26 maintenance organization paid in the same geographic area, for the same covered
27 service, to a similarly licensed provider not under written contract with the health
28 maintenance organization.

29 (2) A health maintenance organization shall disclose, on request of a
30 health care provider not under written contract with the health maintenance
31 organization, the reimbursement rate required under paragraph (1)(ii)2 of this
32 subsection.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 June 1, 2001. It shall remain effective until the taking effect of the termination
35 provision specified in Section ~~2~~ 5 of Chapter 275 of the Acts of the General Assembly
36 of 2000. If that termination provision takes effect, this Act shall be abrogated and of
37 no further force and effect. This Act may not be interpreted to have any effect on that
38 termination provision.

