

SENATE BILL 48

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2002 Regular Session  
2lr0703

(PRE-FILED)

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By: **Senator Harris**

Requested: October 18, 2001

Introduced and read first time: January 9, 2002

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Health Maintenance Organization (HMO) Quality Assurance Unit - Medical**  
3 **Director - Qualifications and Requirements**

4 FOR the purpose of requiring the Medical Director of the HMO Quality Assurance  
5 Unit to have the same qualifications and requirements as the medical director of  
6 a licensed nursing facility; and generally relating to the Medical Director of the  
7 HMO Quality Assurance Unit.

8 BY repealing and reenacting, with amendments,  
9 Article - Health - General  
10 Section 19-705.8  
11 Annotated Code of Maryland  
12 (2000 Replacement Volume and 2001 Supplement)

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

15 **Article - Health - General**

16 19-705.8.

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

18 (2) "HMO Quality Assurance Unit" means the Health Maintenance  
19 Organization (HMO) Quality Assurance Unit in the Department.

20 (3) "Quality Assurance Medical Director" means the Medical Director of  
21 the HMO Quality Assurance Unit.

22 (b) There is a Health Maintenance Organization (HMO) Quality Assurance  
23 Unit in the Department.

24 (c) (1) The Secretary shall appoint the Quality Assurance Medical Director.

25 (2) The Quality Assurance Medical Director shall:

- 1 (i) Be a physician who is licensed in the State;
- 2 (ii) Be board certified in at least one specialty;
- 3 (iii) Have experience in primary care and administrative medicine;
- 4 [and]
- 5 (iv) Have broad knowledge of health maintenance organizations  
6 and managed care [organizations.] ORGANIZATIONS; AND
- 7 (V) HAVE THE SAME QUALIFICATIONS AND REQUIREMENTS AS  
8 THE MEDICAL DIRECTOR OF A LICENSED NURSING FACILITY AS ESTABLISHED BY  
9 COMAR 10.07.02.11A(1).
- 10 (3) The Quality Assurance Medical Director is entitled to the  
11 compensation provided in the State budget.
- 12 (4) Subject to the authority vested in the Secretary by law, the Quality  
13 Assurance Medical Director is in charge of and responsible for the clinical operations  
14 of the HMO Quality Assurance Unit.
- 15 (5) In accordance with the State budget the Secretary may employ staff  
16 for the HMO Quality Assurance Unit.
- 17 (d) The HMO Quality Assurance Unit shall:
- 18 (1) Enforce all requirements established under §§ 19-705 and 19-705.1  
19 of this subtitle and the regulations adopted under these provisions regarding the  
20 quality of health care provided by a health maintenance organization; and
- 21 (2) Investigate quality of care complaints referred to the Secretary under  
22 § 19-705.2(b)(3) of this subtitle.
- 23 (e) The Quality Assurance Medical Director shall:
- 24 (1) Determine whether a health maintenance organization meets the  
25 requirements established under §§ 19-705 and 19-705.1 of this subtitle and the  
26 regulations adopted under these provisions regarding the quality of health care  
27 provided by a health maintenance organization; and
- 28 (2) Make recommendations to the Secretary for corrective action  
29 necessary to meet these requirements.
- 30 (f) If the Secretary agrees with a determination made by the Quality  
31 Assurance Medical Director that a health maintenance organization does not meet  
32 the requirements established under §§ 19-705 and 19-705.1 of this subtitle or the  
33 regulations adopted under these provisions regarding the quality of health care  
34 provided by a health maintenance organization, the Secretary may issue an order  
35 under § 19-731 of this subtitle.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2002.