
By: **Delegate Donoghue**

Introduced and read first time: February 1, 2006

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance - Recredentialing of Health Care Providers - Change in**
3 **Tax Identification Number or Employer**

4 FOR the purpose of prohibiting certain health insurance carriers from requiring a
5 health care provider participating on a carrier's provider panel to be
6 recredentialled based on a change in the federal tax identification number of the
7 health care provider or the health care provider's employer or a change in the
8 health care provider's employer under certain circumstances; requiring a certain
9 health care provider or the health care provider's employer to give certain notice
10 to a carrier not less than a certain number of days before the effective date of a
11 change in the federal tax identification number of the health care provider or
12 the health care provider's employer; requiring the notice to include a certain
13 statement, information, and form; requiring a carrier, within a certain number
14 of days after receipt of the notice, to acknowledge its receipt and issue a new
15 provider number to certain persons under certain circumstances; prohibiting a
16 carrier from terminating its existing contract with a health care provider or a
17 health care provider's employer based solely on a certain notice given to the
18 carrier; and generally relating to the credentialing of health care providers.

19 BY adding to
20 Article - Insurance
21 Section 15-112(f-1)
22 Annotated Code of Maryland
23 (2002 Replacement Volume and 2005 Supplement)

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

26 **Article - Insurance**

27 15-112.

28 (F-1) (1) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, A CARRIER MAY
29 NOT REQUIRE A PROVIDER PARTICIPATING ON ITS PROVIDER PANEL TO BE
30 RECREDDENTIALLED BASED ON:

1 (I) A CHANGE IN THE FEDERAL TAX IDENTIFICATION NUMBER OF
2 THE PROVIDER;

3 (II) A CHANGE IN THE FEDERAL TAX IDENTIFICATION NUMBER OF
4 A PROVIDER'S EMPLOYER; OR

5 (III) A CHANGE IN THE EMPLOYER OF A PROVIDER, IF THE NEW
6 EMPLOYER IS:

7 1. A PARTICIPATING PROVIDER ON THE CARRIER'S
8 PROVIDER PANEL; OR

9 2. THE EMPLOYER OF PROVIDERS THAT PARTICIPATE ON
10 THE CARRIER'S PROVIDER PANEL.

11 (2) A PROVIDER THAT PARTICIPATES ON A CARRIER'S PROVIDER PANEL
12 OR THE PROVIDER'S EMPLOYER SHALL GIVE WRITTEN NOTICE TO THE CARRIER OF A
13 CHANGE IN THE FEDERAL TAX IDENTIFICATION NUMBER OF THE PROVIDER OR THE
14 PROVIDER'S EMPLOYER NOT LESS THAN 45 DAYS BEFORE THE EFFECTIVE DATE OF
15 THE CHANGE.

16 (3) THE NOTICE REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION
17 SHALL INCLUDE:

18 (I) A STATEMENT OF THE INTENTION OF THE PROVIDER OR THE
19 PROVIDER'S EMPLOYER TO CONTINUE TO PROVIDE HEALTH CARE SERVICES IN THE
20 SAME FIELD OF SPECIALIZATION, IF APPLICABLE;

21 (II) THE EFFECTIVE DATE OF THE CHANGE IN THE FEDERAL TAX
22 IDENTIFICATION NUMBER OF THE PROVIDER OR THE PROVIDER'S EMPLOYER;

23 (III) THE NEW FEDERAL TAX IDENTIFICATION NUMBER OF THE
24 PROVIDER OR THE PROVIDER'S EMPLOYER AND A COPY OF U.S. TREASURY FORM W-9,
25 OR ANY SUCCESSOR OR REPLACEMENT FORM; AND

26 (IV) THE FOLLOWING INFORMATION ABOUT A NEW EMPLOYER OF
27 THE PROVIDER:

28 1. THE EMPLOYER'S NAME;

29 2. THE NAME OF THE EMPLOYER'S CONTACT PERSON FOR
30 CARRIER QUESTIONS ABOUT THE PROVIDER; AND

31 3. THE ADDRESS, TELEPHONE NUMBER, FACSIMILE
32 TRANSMISSION NUMBER, AND ELECTRONIC MAIL ADDRESS OF THE CONTACT
33 PERSON FOR THE EMPLOYER.

34 (4) IF THE NEW FEDERAL TAX IDENTIFICATION NUMBER OR THE FORM
35 REQUIRED TO BE INCLUDED IN THE NOTICE UNDER PARAGRAPH (3)(III) OF THIS
36 SUBSECTION IS NOT AVAILABLE AT THE TIME THE NOTICE IS GIVEN TO A CARRIER, IT

1 SHALL BE PROVIDED TO THE CARRIER PROMPTLY AFTER IT IS RECEIVED BY THE
2 PROVIDER OR THE PROVIDER'S EMPLOYER.

3 (5) WITHIN 30 BUSINESS DAYS AFTER RECEIPT OF THE NOTICE
4 REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, A CARRIER:

5 (I) SHALL ACKNOWLEDGE RECEIPT OF THE NOTICE TO THE
6 PROVIDER OR THE PROVIDER'S EMPLOYER; AND

7 (II) IF THE CARRIER CONSIDERS IT NECESSARY TO ISSUE A NEW
8 PROVIDER NUMBER AS A RESULT OF A CHANGE IN THE FEDERAL TAX
9 IDENTIFICATION NUMBER OF A PROVIDER OR A PROVIDER'S EMPLOYER OR A
10 CHANGE IN THE EMPLOYER OF A PROVIDER, SHALL ISSUE A NEW PROVIDER
11 NUMBER, BY MAIL, ELECTRONIC MAIL, OR FACSIMILE TRANSMISSION, TO:

12 1. THE PROVIDER OR THE PROVIDER'S EMPLOYER; OR

13 2. THE REPRESENTATIVE OF THE PROVIDER OR THE
14 PROVIDER'S EMPLOYER DESIGNATED IN WRITING TO THE CARRIER.

15 (6) A CARRIER MAY NOT TERMINATE ITS EXISTING CONTRACT WITH A
16 PROVIDER OR A PROVIDER'S EMPLOYER BASED SOLELY ON A NOTICE GIVEN TO THE
17 CARRIER IN ACCORDANCE WITH THIS SUBSECTION.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2006.