6lr2040 CF 6lr3234

By: **Senators Exum, Stone, and Teitelbaum** Introduced and read first time: February 3, 2006 Assigned to: Finance

## A BILL ENTITLED

1	AN ACT	concerning
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2 3	Health Insurance - Assignment, Transfer, or Subcontract of Health Care Provider Contract							
4 5 7 8 9 10 11 12	offers workers' compensation coverage or to the Injured Workers' Insurance Fund; and generally relating to assigning, transferring, or subcontracting of a							
14 15 16 17 18	<ul> <li>BY repealing and reenacting, with amendments,</li> <li>Article - Insurance</li> <li>Section 15-125</li> <li>Annotated Code of Maryland</li> <li>(2002 Replacement Volume and 2005 Supplement)</li> <li>SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF</li> <li>MARYLAND, That the Laws of Maryland read as follows:</li> </ul>							
20						Article - Insurance		
21	15-125							
22	(a)		(1)	In this	section th	e following words have the meanings indicated.		
23			(2)	(i)	"Carrie	r" means:		
24					1.	an insurer;		
25					2.	a nonprofit health service plan;		
26					3.	a health maintenance organization;		

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1	4. a dental plan organization; or						
2 3 subject to regulation by the S	5. any other person that provides health benefit plans tate.						
4 (ii) 5 carrier.	"Carrier" includes an entity that arranges a provider panel for a						
7 care provider and carrier, incl	(3) "Contract" means the implied or express agreement between a health care provider and carrier, including the rights, obligations, and fee schedule for the provision of health care services.						
	n care provider" means an individual who is licensed, certified, r the Health Occupations Article to provide health care						
	<ul> <li>2 (b) (1) (I) [A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS</li> <li>3 PARAGRAPH, A carrier may not in any manner assign, transfer, or subcontract a</li> <li>4 health care provider's contract, wholly or partly, to:</li> </ul>						
15 16 under § 19-505 of this article	1. an insurer that offers personal injury protection coverage ;						
17 18 COVERAGE UNDER TITL 19 OR	2. AN INSURER THAT OFFERS WORKERS' COMPENSATION E 9, SUBTITLE 4 OF THE LABOR AND EMPLOYMENT ARTICLE;						
20	3. THE INJURED WORKERS' INSURANCE FUND.						
<ul> <li>(II) [without first informing the health care provider and</li> <li>obtaining] A CARRIER MAY ONLY ASSIGN, TRANSFER, OR SUBCONTRACT A HEALTH</li> <li>CARE PROVIDER'S CONTRACT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IF THE</li> <li>CARRIER FIRST INFORMS THE HEALTH CARE PROVIDER AND OBTAINS the health</li> <li>care provider's express written consent.</li> </ul>							
26 (2) A carrier may not terminate, limit, or otherwise impair the contract 27 or employment of a health care provider with the carrier on the basis that the health 28 care provider refused to agree to an assignment, transfer, or subcontract of all or part 29 of the health care provider's contract to:							
30 (I) 31 § 19-505 of this article;	an insurer that offers personal injury protection coverage under						
32 (II) 33 COVERAGE UNDER TITL 34 OR	AN INSURER THAT OFFERS WORKERS' COMPENSATION E 9, SUBTITLE 4 OF THE LABOR AND EMPLOYMENT ARTICLE;						

THE INJURED WORKERS' INSURANCE FUND.

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(III)

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