

**HB0736/736088/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 736

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and V. Turner” and substitute “V. Turner, Donoghue, Hammen, Hubbard, Kipke, McDonough, Oaks, and Pendergrass”; strike beginning with “exempting” in line 4 down through “payment” in line 13 and substitute “requiring certain incentives for the adoption and use of electronic health records to be paid in cash, unless a certain payor and health care provider agree on an incentive of equivalent value; prohibiting certain regulations from requiring a group model health maintenance organization from providing a certain incentive to a certain health care provider; requiring the regulations to allow a State-regulated payor to request certain information and, under certain circumstances, reduce an incentive amount; authorizing the Maryland Health Care Commission to audit a State-regulated payor and a health care provider and, under certain circumstances, request corrective action; requiring the Commission to conduct a certain study and report on its findings to certain committees of the General Assembly on or before a certain date”; in line 16, after “19-142(a),” insert “(b).”; and in line 21, strike “19-142(b) and”.

AMENDMENT NO. 2

On page 2, strike beginning with the comma in line 8 down through “TITLE” in line 10.

On page 5, in line 2, strike “and”; in line 10, after “assigned” insert “; **AND**”

**(VI) SHALL BE PAID IN CASH, UNLESS THE STATE-REGULATED PAYOR AND THE HEALTH CARE PROVIDER AGREE ON AN INCENTIVE OF EQUIVALENT VALUE**”;

(Over)

in line 11, in each instance, strike the bracket; in the same line, strike “SHALL:”; in line 12, strike “(I)”; and strike beginning with the semicolon in line 14 down through “PAYMENT” in line 20.

AMENDMENT NO. 3

On page 5, after line 24, insert:

**(5) REGULATIONS ADOPTED UNDER THIS SUBSECTION:**

**(I) MAY NOT REQUIRE A GROUP MODEL HEALTH MAINTENANCE ORGANIZATION, AS DEFINED IN § 19-713.6 OF THIS TITLE, TO PROVIDE AN INCENTIVE TO A HEALTH CARE PROVIDER WHO IS EMPLOYED BY THE MULTISPECIALTY GROUP OF PHYSICIANS UNDER CONTRACT WITH THE GROUP MODEL HEALTH MAINTENANCE ORGANIZATION; AND**

**(II) SHALL ALLOW A STATE-REGULATED PAYOR TO:**

**1. REQUEST INFORMATION FROM A HEALTH CARE PROVIDER TO VALIDATE THE HEALTH CARE PROVIDER’S INCENTIVE CLAIM; AND**

**2. IF THE STATE-REGULATED PAY DETERMINES THAT A DUPLICATE INCENTIVE PAYMENT OR AN OVERPAYMENT HAS BEEN MADE, REDUCE THE INCENTIVE AMOUNT.**

**(6) THE COMMISSION MAY:**

**(I) AUDIT THE STATE-REGULATED PAYOR OR THE HEALTH CARE PROVIDER FOR COMPLIANCE WITH THE REGULATIONS ADOPTED UNDER THIS SUBSECTION; AND**

**(II) IF IT FINDS NONCOMPLIANCE, REQUEST CORRECTIVE ACTION.**

**SECTION 2. AND BE IT FURTHER ENACTED, That:**

(a) The Maryland Health Care Commission, in consultation with the Department of Health and Mental Hygiene, payors, and health care providers, shall study whether the scope of health care providers that may receive incentives for the adoption and use of electronic health records from State-regulated payors should be expanded beyond primary care providers.

(b) On or before January 1, 2013, the Maryland Health Care Commission shall report on its findings under subsection (a) of this section to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2-1246 of the State Government Article.”;

and in line 25, strike “2.” and substitute “3.”.