

HOUSE BILL 779

C3

4lr1807

By: **Delegate Hammen**

Introduced and read first time: February 3, 2014

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2014

CHAPTER _____

1 AN ACT concerning

2 **Maryland Health Care Commission – Health Care Provider–Carrier**
3 **Workgroup**

4 FOR the purpose of requiring the Maryland Health Care Commission to establish a
5 Health Care Provider–Carrier Workgroup; establishing the purpose,
6 composition, staffing, and frequency of meetings of the Workgroup; prohibiting
7 a Workgroup member from receiving certain compensation or reimbursement;
8 requiring Commission staff to solicit and select issues for consideration by the
9 Workgroup; requiring Commission staff to provide certain assistance to the
10 Workgroup and to submit a certain report, on or before certain dates, to the
11 Commission and certain committees of the General Assembly; and generally
12 relating to the Maryland Health Care Commission and the Health Care
13 Provider–Carrier Workgroup.

14 BY adding to
15 Article – Health – General
16 Section 19–108.3
17 Annotated Code of Maryland
18 (2009 Replacement Volume and 2013 Supplement)

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

21 **Article – Health – General**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **19-108.3.**

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
3 MEANINGS INDICATED.

4 (2) "CARRIER" INCLUDES INSURERS, NONPROFIT HEALTH
5 SERVICE PLANS, HEALTH MAINTENANCE ORGANIZATIONS, THIRD-PARTY
6 ADMINISTRATORS, AND PHARMACY BENEFITS MANAGERS.

7 (3) "HEALTH CARE PROVIDER" INCLUDES HOSPITALS,
8 PHYSICIANS, NURSE PRACTITIONERS, PHARMACISTS, AND OTHER PERSONS
9 ENTITLED TO REIMBURSEMENT UNDER § 15-701(A) OF THE INSURANCE
10 ARTICLE.

11 (4) "WORKGROUP" MEANS THE HEALTH CARE
12 PROVIDER-CARRIER WORKGROUP.

13 (B) THE COMMISSION SHALL ESTABLISH A HEALTH CARE
14 PROVIDER-CARRIER WORKGROUP.

15 (C) THE PURPOSE OF THE WORKGROUP IS TO PROVIDE A MECHANISM
16 FOR HEALTH CARE PROVIDERS AND CARRIERS TO RESOLVE DISPUTES ON
17 ISSUES OVER WHICH NO STATE AGENCY HAS STATUTORY OR REGULATORY
18 AUTHORITY.

19 (D) THE WORKGROUP SHALL BE COMPOSED OF REPRESENTATIVES OF:

20 (1) PROFESSIONAL ORGANIZATIONS OR ASSOCIATIONS OF
21 HEALTH CARE PROVIDERS WHO BILL AND RECEIVE REIMBURSEMENT FOR
22 HEALTH CARE SERVICES FROM CARRIERS; ~~AND~~

23 (2) CARRIERS OR ORGANIZATIONS OR TRADE ASSOCIATIONS
24 REPRESENTING CARRIERS THAT REIMBURSE HEALTH CARE PROVIDERS FOR
25 HEALTH CARE SERVICES PROVIDED UNDER HEALTH BENEFIT PLANS; AND

26 (3) SUBJECT TO SUBSECTION (E)(1)(III) OF THIS SECTION,
27 CONSUMER ORGANIZATIONS.

28 (E) (1) THE COMMISSION SHALL INVITE THE FOLLOWING TO
29 APPOINT MEMBERS TO THE WORKGROUP:

30 (I) ~~PROFESSIONAL~~ PROFESSIONAL ORGANIZATIONS OR
31 ASSOCIATIONS OF HEALTH CARE PROVIDERS ~~AND CARRIERS;~~

1 **(II) CARRIERS OR ORGANIZATIONS OR TRADE**
2 **ASSOCIATIONS REPRESENTING CARRIERS ~~TO APPOINT MEMBERS TO THE~~**
3 **~~WORKGROUP; AND~~**

4 **(III) WHEN APPROPRIATE TO THE ISSUE UNDER**
5 **DISCUSSION, CONSUMER ORGANIZATIONS.**

6 **(2) MEMBERSHIP IN THE WORKGROUP MAY CHANGE DEPENDING**
7 **ON THE ISSUES BEFORE THE WORKGROUP.**

8 **(3) THE SIZE OF THE WORKGROUP SHALL BE AT THE DISCRETION**
9 **OF THE COMMISSION BUT LARGE ENOUGH TO REPRESENT THE APPROPRIATE**
10 **RANGE OF STAKEHOLDERS.**

11 **(F) WORKGROUP MEMBERS MAY NOT RECEIVE COMPENSATION OR**
12 **REIMBURSEMENT FOR SERVING ON THE WORKGROUP.**

13 **(G) THE WORKGROUP SHALL MEET AT LEAST QUARTERLY.**

14 **(H) COMMISSION STAFF SHALL FACILITATE WORKGROUP MEETINGS**
15 **AND PROVIDE RESEARCH AND OTHER SUPPORT TO THE WORKGROUP.**

16 **(I) (1) AT LEAST ANNUALLY, COMMISSION STAFF SHALL SOLICIT**
17 **ISSUES FOR CONSIDERATION BY THE WORKGROUP.**

18 **(2) ISSUES SHALL BE SOLICITED FROM:**

19 **(I) MEMBERS OF THE GENERAL ASSEMBLY;**

20 **(II) PROFESSIONAL ORGANIZATIONS OR ASSOCIATIONS OF**
21 **HEALTH CARE PROVIDERS AND CARRIERS OR ORGANIZATIONS OR TRADE**
22 **ASSOCIATIONS REPRESENTING CARRIERS; ~~AND~~**

23 **(III) STATE AGENCIES, INCLUDING THE DEPARTMENT,**
24 **HEALTH OCCUPATIONS BOARDS, THE MARYLAND INSURANCE**
25 **ADMINISTRATION, AND THE COMMISSION; AND**

26 **(IV) CONSUMER ORGANIZATIONS.**

27 **(J) AFTER SOLICITING ISSUES UNDER SUBSECTION (I) OF THIS**
28 **SECTION, COMMISSION STAFF SHALL SELECT THE ISSUES TO BE CONSIDERED**
29 **BY THE WORKGROUP.**

30 **(K) COMMISSION STAFF SHALL:**

1 **(1) RESEARCH EACH ISSUE BEFORE THE ISSUE IS CONSIDERED**
2 **BY THE WORKGROUP;**

3 **(2) USE THE RESULTS OF THE RESEARCH TO INFORM**
4 **WORKGROUP MEETINGS;**

5 **(3) FACILITATE WORKGROUP MEETINGS IN A WAY THAT**
6 **PROMOTES RESOLUTION OF DISPUTES ON ISSUES AND IS SATISFACTORY TO THE**
7 **MEMBERS OF THE WORKGROUP; AND**

8 **(4) ON OR BEFORE JANUARY 1, 2016, AND EACH YEAR**
9 **THEREAFTER, SUBMIT A REPORT TO THE COMMISSION AND, IN ACCORDANCE**
10 **WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE SENATE FINANCE**
11 **COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS**
12 **COMMITTEE REGARDING THE ISSUES CONSIDERED BY THE WORKGROUP**
13 **DURING THE PRECEDING YEAR AND THE OUTCOME OF THE WORKGROUP'S**
14 **CONSIDERATION OF EACH ISSUE.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2014.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.