

HOUSE BILL 970

C3

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CF SB 600

By: **Delegates Kipke, Carr, Johnson, and Kerr**

Introduced and read first time: February 5, 2020

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Reimbursement of Primary Care Providers – Bonus**
3 **Payments – Applicability**

4 FOR the purpose of defining the term “primary care provider” for purposes of provisions of
5 law requiring certain health insurance carriers to pay certain individuals certain
6 bonus payments for services provided under certain circumstances; requiring a
7 carrier to pay a bonus to primary care providers for services provided in nonhospital
8 settings under certain circumstances; and generally relating to reimbursement of
9 primary care providers by health insurers.

10 BY repealing and reenacting, with amendments,
11 Article – Insurance
12 Section 15–136
13 Annotated Code of Maryland
14 (2017 Replacement Volume and 2019 Supplement)

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

17 **Article – Insurance**

18 15–136.

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

20 (2) “Carrier” means:

21 (i) an insurer;

22 (ii) a nonprofit health service plan;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (iii) a health maintenance organization; or

2 (iv) any other person that provides health benefit plans subject to
3 regulation by the State.

4 (3) "Group model health maintenance organization" has the meaning
5 stated in § 19-713.6(a) of the Health – General Article.

6 (4) **"PRIMARY CARE PROVIDER" MEANS AN INDIVIDUAL WHO:**

7 (I) 1. IS A LICENSED PHYSICIAN CERTIFIED IN FAMILY
8 PRACTICE, INTERNAL MEDICINE, OR PEDIATRICS OR OTHERWISE IDENTIFIED AS A
9 PROVIDER OF PRIMARY CARE IN A CONTRACT TO WHICH THIS SECTION APPLIES; OR

10 2. IS A LICENSED PHYSICIAN ASSISTANT OR CERTIFIED
11 NURSE PRACTITIONER; AND

12 (II) PROVIDES BASIC HEALTH CARE OR URGENT CARE
13 SERVICES, INCLUDING DIAGNOSTIC, TREATMENT, CONSULTATIVE, REFERRAL, AND
14 PREVENTATIVE SERVICES.

15 (b) This section applies only to contracts or policies that:

16 (1) are issued or delivered by a carrier; and

17 (2) provide hospital, medical, or surgical benefits to individuals or groups
18 on an expense-incurred basis.

19 (c) (1) Except as provided in subsection (d) of this section, each carrier shall
20 pay a bonus to primary care providers for services provided in the office **OR ANOTHER**
21 **NONHOSPITAL SETTING:**

22 (i) after 6 p.m. and before 8 a.m.; or

23 (ii) on weekends and national holidays.

24 (2) A carrier shall provide for and describe the terms of the bonus payment
25 required in paragraph (1) of this subsection in a separate clause in the carrier's contract
26 with the primary care provider.

27 (d) A group model health maintenance organization is not required to make any
28 bonus payments described in subsection (c) of this section to physicians that are employed
29 by the physician group under contract with the group model health maintenance
30 organization.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July

1 1, 2020.