HOUSE BILL 1075

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By: Delegate Kipke

Introduced and read first time: February 17, 2010 Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

Health Insurance – Payments for Services of Nonparticipating Health Care Providers

FOR the purpose of requiring certain health insurance carriers that pay for health
care services provided to an enrollee by a certain nonparticipating health care
provider by issuing a check to the enrollee to make the check payable to both
the enrollee and the health care provider; making certain provisions of this Act
applicable to health maintenance organizations; defining certain terms; and
generally relating to payments by health insurance carriers for health care

- 11 BY adding to
- 12 Article Health General
- 13 Section 19–706(cccc)
- 14 Annotated Code of Maryland
- 15 (2009 Replacement Volume)
- 16 BY adding to
- 17 Article Insurance
- 18 Section 15–134
- 19 Annotated Code of Maryland
- 20 (2006 Replacement Volume and 2009 Supplement)
- 21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 22 MARYLAND, That the Laws of Maryland read as follows:
- 23

Article – Health – General

24 19–706.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.



	2 HOUSE BILL 1075
$\frac{1}{2}$	(CCCC) THE PROVISIONS OF § 15–134 OF THE INSURANCE ARTICLE APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.
3	Article – Insurance
4	15–134.
$5 \\ 6$	(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.
7	(2) "CARRIER" MEANS:
8	(I) AN INSURER;
9	(II) A NONPROFIT HEALTH SERVICE PLAN; AND
10	(III) A HEALTH MAINTENANCE ORGANIZATION.
11 12	(3) "ENROLLEE" MEANS AN INDIVIDUAL ENTITLED TO HEALTH CARE BENEFITS FROM A CARRIER.
$13 \\ 14 \\ 15$	(4) "HEALTH CARE PROVIDER" MEANS AN INDIVIDUAL WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED UNDER THE HEALTH OCCUPATIONS ARTICLE TO PROVIDE HEALTH CARE SERVICES.
$\begin{array}{c} 16 \\ 17 \end{array}$	(5) "NONPARTICIPATING PROVIDER" MEANS A HEALTH CARE PROVIDER WHO DOES NOT PARTICIPATE ON A CARRIER'S PROVIDER PANEL.
18 19 20	(6) "PROVIDER PANEL" MEANS THE HEALTH CARE PROVIDERS WHO CONTRACT WITH A CARRIER TO PROVIDE HEALTH CARE SERVICES TO ENROLLEES OF THE CARRIER UNDER THE CARRIER'S HEALTH BENEFIT PLAN.
21 22 23 24	(B) A CARRIER THAT PAYS FOR HEALTH CARE SERVICES PROVIDED TO AN ENROLLEE BY A NONPARTICIPATING PROVIDER BY ISSUING A CHECK TO THE ENROLLEE SHALL MAKE THE CHECK PAYABLE TO BOTH THE ENROLLEE AND THE NONPARTICIPATING PROVIDER.
$\frac{25}{26}$	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.