

# HOUSE BILL 292

C3

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By: ~~Delegate Morhaim~~ Delegates Morhaim, Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Kach, Kipke, Krebs, Kullen, McDonough, Montgomery, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner

Introduced and read first time: January 27, 2010

Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 17, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Health Insurance – Uniform Consultation Referral Form – Electronic**  
3 **Transmission**

4 FOR the purpose of authorizing a health care provider to transmit the uniform  
5 consultation referral form electronically; requiring the Maryland Insurance  
6 Commissioner, in consultation with the Maryland Health Care Commission, to  
7 adopt by regulation standards for the electronic transmission of the data  
8 elements contained in the uniform consultation referral form; and generally  
9 relating to the uniform consultation referral form.

10 BY repealing and reenacting, with amendments,  
11 Article – Insurance  
12 Section 15–119 and 15–120  
13 Annotated Code of Maryland  
14 (2006 Replacement Volume and 2009 Supplement)

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

17 **Article – Insurance**

18 15–119.

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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 (a) This section applies to insurers and nonprofit health service plans that  
2 issue or deliver individual, group, or blanket health insurance policies in the State.

3 (b) An entity subject to this section that requires insureds to have a written  
4 referral to receive consultation services shall use the uniform consultation referral  
5 form adopted by the Commissioner under § 15–120 of this subtitle as the sole  
6 instrument for referrals for consultation services.

7 (c) An entity subject to this section may not impose as a condition of  
8 coverage a requirement to:

9 (1) modify the uniform consultation referral form; or

10 (2) submit additional consultation referral forms.

11 (d) The uniform consultation referral form:

12 (1) shall be properly completed by the health care provider that refers  
13 the insured for consultation services; AND

14 (2) **MAY BE TRANSMITTED ELECTRONICALLY.**

15 15–120.

16 (a) Subject to subsection (b) of this section, the Commissioner shall adopt by  
17 regulation a uniform consultation referral form for use by insurers, nonprofit health  
18 service plans, and health maintenance organizations that require insureds or  
19 subscribers to have a written referral to receive consultation services.

20 (b) The Commissioner may waive the requirements of regulations adopted  
21 under subsection (a) of this section for the use of uniform consultation referral forms  
22 for an entity that uses the forms solely for internal purposes.

23 (c) **THE COMMISSIONER, IN CONSULTATION WITH THE MARYLAND**  
24 **HEALTH CARE COMMISSION, SHALL ADOPT BY REGULATION STANDARDS FOR**  
25 **THE ELECTRONIC TRANSMISSION OF THE DATA ELEMENTS CONTAINED IN THE**  
26 **UNIFORM CONSULTATION REFERRAL FORM.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2010.