

Chapter 403

(House Bill 292)

AN ACT concerning

Health Insurance – Uniform Consultation Referral Form – Electronic Transmission

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

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

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

Article – Insurance

15–119.

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

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

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

- (1) modify the uniform consultation referral form; or
- (2) submit additional consultation referral forms.

(d) The uniform consultation referral form:

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

(2) MAY BE TRANSMITTED ELECTRONICALLY.

15-120.

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

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

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

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

Approved by the Governor, May 4, 2010.