

(4) Once an agreement under this subsection has been determined to be in compliance with this subsection and this title by the Commission it is binding on the employer and the bargaining unit.

(5) This subsection does not allow an agreement that:

(i) exempts a covered employee or an employer from a duty of the covered employee or employer under this title;

(ii) waives or limits a right or benefit of a covered employee or employer under this title, except as otherwise set forth in this subsection;

(iii) affects the imposition of an assessment on settlements and resolutions of claims, as described in §§ 9-806 and 9-1007 of this article; or

(iv) affects claims made under Subtitle 8 or Subtitle 10 of this title or claims made under Title 10, Subtitle 2 of this article.

(6) An agreement that violates paragraph (5) of this subsection is void.

(7) Notwithstanding paragraph (1)(ii) of this subsection, an injured employee whose injury or treatment is related to a medical condition for which the employee is being or has been treated may continue to seek treatment from the health care provider who is treating or has treated the condition.

(8) An agreement under this subsection shall provide for an appeal mechanism for a covered employee who wishes to use a health care provider who is not on the agreed list of health care providers.

(9) Nothing in this subsection requires an insurer to underwrite a program established under paragraph (1) of this subsection.

Chapter 591 of the Acts of 1997

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997. [It shall remain effective for a period of 5 years and, at the end of September 30, 2002, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2002.

Approved April 25, 2002.