

Section 568W (a) (2)
Annotated Code of Maryland
(1971 Replacement Volume and 1974 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 568W (a) (2) of Article 43 - Health, of the Annotated Code of Maryland (1971 Replacement Volume and 1974 Supplement) be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Article 43 - Health

568W.

(a) From and after July 1, 1974, no hospital subject to the provisions of this subtitle shall change or amend that schedule of rates and charges of the type and class which cannot be changed without prior approval of the Commission, except in accordance with the following procedure:

(2) (I) In any case where such action is deemed necessary, the Commission shall promptly institute proceedings as to the reasonableness of the proposal. The suspension may extend for a period of not more than 30 days beyond the date the change would otherwise go into effect; provided, however, that should it be necessary, the Commission may extend the suspension for an additional 30 days. After the expiration of 90 days the new rate will go into effect, if the Commission does not approve, disapprove or modify the request by that time.

(II) IN THE EVENT THE COMMISSION MODIFIES THE REQUEST OF A HOSPITAL FOR A CHANGE IN ITS RATES SO THAT THE HOSPITAL OBTAINS ONLY A PARTIAL INCREASE IN ITS RATE SCHEDULE, THE HOSPITAL SHALL HAVE THE RIGHT TO ACCEPT THE BENEFITS OF THE PARTIAL INCREASE IN RATES AND CHARGE ITS PATIENTS ACCORDINGLY WITHOUT IN ANY WAY ADVERSELY AFFECTING OR WAIVING ITS RIGHT TO APPEAL THAT PORTION OF THE DECISION AND ORDER OF THE COMMISSION WHICH DENIED THE REMAINDER OF THE REQUESTED RATE INCREASE.

(III) WHEN ANY CHANGE AFFECTING AN INCREASE IN RATES GOES INTO EFFECT BEFORE A FINAL ORDER IS ENTERED IN THE PROCEEDINGS DUE TO AN APPEAL OR OTHER DELAY, WHERE IT DEEMS IT NECESSARY AND PRACTICABLE, THE COMMISSION MAY ORDER THE HOSPITAL TO KEEP A DETAILED AND ACCURATE ACCOUNT OF ALL AMOUNTS RECEIVED BY REASON OF THE INCREASE IN RATES AND THE PERSONS FROM WHOM SUCH AMOUNTS WERE RECEIVED. AT THE CONCLUSION OF ANY APPEAL OR OTHER