

determination, by telephone on an expedited basis, within a period of time not to exceed 24 hours of the health care provider seeking the reconsideration.

~~(2) IF AN INITIAL DETERMINATION IS MADE BY A PRIVATE REVIEW AGENT NOT TO AUTHORIZE OR CERTIFY AN EMERGENCY INPATIENT ADMISSION FOR THE TREATMENT OF A MENTAL, EMOTIONAL, OR SUBSTANCE ABUSE DISORDER AND THE HEALTH CARE PROVIDER BELIEVES THE DETERMINATION WARRANTS AN IMMEDIATE RECONSIDERATION, A PRIVATE REVIEW AGENT SHALL PROVIDE THE HEALTH CARE PROVIDER THE OPPORTUNITY TO SPEAK WITH THE PHYSICIAN THAT RENDERED THE DETERMINATION, BY TELEPHONE ON AN EXPEDITED BASIS, WITHIN A PERIOD OF TIME NOT TO EXCEED 2 HOURS OF THE HEALTH CARE PROVIDER SEEKING THE RECONSIDERATION.~~

(c) For emergency inpatient admissions, a private review agent may not render an adverse decision solely because the hospital did not notify the private review agent of the emergency admission within 24 hours or other prescribed period of time after that admission if the patient's medical condition prevented the hospital from determining:

(1) the patient's insurance status; and

(2) if applicable, the private review agent's emergency admission notification requirements.

(d) A (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION. A private review agent may not render an adverse decision as to an admission of a patient during the first ~~[24] 72~~ hours after admission when:

~~(1) (I)~~ (I) the admission is based on a determination that the patient is in imminent danger to self or others;

~~(2) (II)~~ (II) the determination has been made by the patient's physician or psychologist in conjunction with a member of the medical staff of the facility who has privileges to make the admission; and

~~(3) (III)~~ (III) the hospital immediately notifies the private review agent of:

~~(i)~~ 1. the admission of the patient; and

~~(ii)~~ 2. the reasons for the admission.

(2) A PRIVATE REVIEW AGENT MAY NOT RENDER AN ADVERSE DECISION AS TO AN ADMISSION OF A PATIENT TO A HOSPITAL FOR UP TO 72 HOURS, AS DETERMINED TO BE MEDICALLY NECESSARY BY THE PATIENT'S TREATING PHYSICIAN, WHEN:

(I) THE ADMISSION IS AN INVOLUNTARY ADMISSION UNDER §§ 10-615 AND 10-617(A) OF THE HEALTH - GENERAL ARTICLE; AND

(II) THE HOSPITAL IMMEDIATELY NOTIFIES THE PRIVATE REVIEW AGENT OF:

1. THE ADMISSION OF THE PATIENT; AND