

(3) (4) "Enrollee" means a person entitled to health care benefits from a carrier.

(5) "HOSPITAL" HAS THE MEANING STATED IN § 19-301 OF THE HEALTH - GENERAL ARTICLE.

(4) (6) "Provider" means a health care practitioner or group of health care practitioners licensed, certified, or otherwise authorized by law to provide health care services.

(5) (7) (i) "Provider panel" means the providers that contract either directly or through a subcontracting entity with a carrier to provide health care services to the carrier's enrollees under the carrier's health benefit plan.

(ii) "Provider panel" does not include an arrangement in which any provider may participate solely by contracting with the carrier to provide health care services at a discounted fee-for-service rate.

(M) A CARRIER MAY NOT INCLUDE IN A CONTRACT WITH A PROVIDER, AMBULATORY SURGICAL FACILITY, OR HOSPITAL A TERM OR CONDITION THAT:

(1) PROHIBITS THE PROVIDER, AMBULATORY SURGICAL FACILITY, OR HOSPITAL FROM OFFERING TO PROVIDE SERVICES TO THE ENROLLEES OF ANOTHER CARRIER AT A LOWER RATE OF REIMBURSEMENT;

(2) REQUIRES THE PROVIDER, AMBULATORY SURGICAL FACILITY, OR HOSPITAL TO PROVIDE THE CARRIER WITH THE SAME REIMBURSEMENT ARRANGEMENT THAT THE PROVIDER, AMBULATORY SURGICAL FACILITY, OR HOSPITAL HAS WITH ANOTHER CARRIER IF THE REIMBURSEMENT ARRANGEMENT WITH THE OTHER CARRIER IS FOR A LOWER RATE OF REIMBURSEMENT; OR

(3) REQUIRES THE PROVIDER, AMBULATORY SURGICAL FACILITY, OR HOSPITAL TO CERTIFY TO THE CARRIER THAT THE REIMBURSEMENT RATE BEING PAID BY THE CARRIER TO THE PROVIDER, AMBULATORY SURGICAL FACILITY, OR HOSPITAL IS NOT HIGHER THAN THE REIMBURSEMENT RATE BEING RECEIVED BY THE PROVIDER, AMBULATORY SURGICAL FACILITY, OR HOSPITAL FROM ANOTHER CARRIER.

27-222.

A PERSON MAY NOT VIOLATE § 15-112(M) OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2006.

May 26, 2006

The Honorable Michael E. Busch
Speaker of the House
State House
Annapolis, MD 21401

Dear Mr. Speaker: