

(c) The Secretary of Health and Mental Hygiene shall adopt any additional regulations necessary to carry out the provisions of § 15-605(c)(5) of the Insurance Article and the goals of the Health Choice Program.

SECTION 3. AND BE IT FURTHER ENACTED, That, as part of the ongoing efforts of the Department of Health and Mental Hygiene to ensure that managed care organizations deliver quality health care to their members, the Department may modify, enhance, or replace the Value Based Purchasing Initiative in effect on January 1, 2005, provided that:

(1) except as provided in item (4) of this section, any changes to the core set of performance measures and the methodology for penalties, rewards, disincentives, or incentives shall be adopted by regulation prior to the calendar year for which the managed care organizations will be held accountable for the standard compliance with the performance measures;

(2) except as provided in item (4) of this section, the Secretary of Health and Mental Hygiene shall notify managed care organizations of the core set of performance measures and targets at least 3 months prior to the calendar year for which the managed care organizations will be held accountable to the standard for compliance with the performance measures;

(3) any penalty or capitation adjustment imposed under this section on a managed care organization may not be ~~accomplished~~ implemented by means of a capitation payment withhold; and

(4) with respect to the performance measures for calendar year 2005, the Secretary of Health and Mental Hygiene may modify the ranges or targets of the core set of performance measures without complying with the provisions of items (1) and (2) of this section, provided that the dollar amounts of any financial rewards or disincentives shall be calculated as set forth in the Value Based Purchasing Initiative in effect on January 1, 2005.

SECTION 2-4. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 2005.

Approved April 26, 2005.

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**CHAPTER 194**

**(House Bill 100)**

AN ACT concerning

**Somerset County - State's Attorney's Office - Deputy State's Attorney**

FOR the purpose of authorizing the State's Attorney of Somerset County to appoint a deputy State's Attorney; providing that the deputy State's Attorney shall serve at the pleasure of the State's Attorney, shall perform work as directed by the State's Attorney or as authorized by law, may not engage in the private practice