

WHEREAS, Research demonstrates wide variations in patterns of medical practice, which cannot be explained by differences in the health of the population; and

WHEREAS, Research does not identify the appropriate use of various procedures within a given population, rather it points to a general lack of consensus within the medical community as to the proper course of treatment for a large number of diagnoses; and

WHEREAS, In view of the general lack of consensus within the medical community on the use of various procedures, there should be an effective utilization review program applicable to all hospital patients; and

WHEREAS, The costs of unnecessary care are borne to some extent by all payors, and therefore it is in the public interest to prevent the delivery of unnecessary hospital services; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - General

19-319.

(D) (1) AS--A--CONDITION--OF--LICENSURE, AS A CONDITION OF LICENSURE, EACH HOSPITAL SHALL ESTABLISH A UTILIZATION REVIEW PROGRAM FOR ALL PATIENTS ADMITTED TO THE HOSPITAL. THE UTILIZATION REVIEW PROGRAM:

~~(1) SHALL BE APPROVED AND RECERTIFIED PERIODICALLY BY THE SECRETARY AND IF IT MEETS THE MINIMUM STANDARDS ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION, AND~~

~~(1)~~ (I) MAY BE CONDUCTED BY AN INDEPENDENT, NONHOSPITAL AFFILIATED REVIEW AGENT;

(II) SHALL BE PERFORMED BY REGISTERED NURSES, MEDICAL RECORDS TECHNICIANS, OR SIMILAR QUALIFIED PERSONNEL SUPPORTED AND SUPERVISED BY PHYSICIANS AS MAY BE REQUIRED; AND

(III) SHALL BE APPROVED AND RECERTIFIED AT LEAST EVERY -3- 2 YEARS BY THE SECRETARY IF IT MEETS THE MINIMUM STANDARDS ESTABLISHED UNDER PARAGRAPH (3) OF THIS SUBSECTION.

(2) IF A HOSPITAL FAILS TO PROVIDE THE UTILIZATION REVIEW PROGRAM REQUIRED UNDER THIS SUBSECTION, THE SECRETARY MAY IMPOSE THE FOLLOWING PENALTIES: