

19-705.1.

(A) THE SECRETARY SHALL ADOPT REGULATIONS THAT SET OUT REASONABLE STANDARDS OF QUALITY OF CARE THAT A HEALTH MAINTENANCE ORGANIZATION SHALL PROVIDE TO ITS MEMBERS.

(B) THE STANDARDS OF QUALITY OF CARE SHALL INCLUDE:

(1) A REQUIREMENT THAT A HEALTH MAINTENANCE ORGANIZATION SHALL PROVIDE FOR REGULAR HOURS DURING WHICH A MEMBER MAY RECEIVE SERVICES, INCLUDING PROVIDING FOR SERVICES TO A MEMBER IN A TIMELY MANNER THAT TAKES INTO ACCOUNT THE IMMEDIACY OF NEED FOR SERVICES;

(2) (I) A REQUIREMENT THAT A HEALTH MAINTENANCE ORGANIZATION SHALL HAVE A SYSTEM FOR PROVIDING A MEMBER WITH 24-HOUR ACCESS TO A PHYSICIAN IN CASES WHERE THERE IS AN IMMEDIATE NEED FOR MEDICAL SERVICES;

(II) TO MEET THIS REQUIREMENT FOR OFF-HOUR SERVICES, THE HEALTH MAINTENANCE ORGANIZATION MAY PROVIDE FOR ACCESS TO A PHYSICIAN WHO DOES NOT HAVE A CONTRACT WITH THE HEALTH MAINTENANCE ORGANIZATION OR A FACILITY, SUCH AS A HOSPITAL EMERGENCY ROOM; AND

(III) IF A PHYSICIAN WHO DOES NOT HAVE A CONTRACT WITH A HEALTH MAINTENANCE ORGANIZATION IS USED OR A FACILITY THAT IS NOT CONNECTED WITH A HEALTH MAINTENANCE ORGANIZATION IS USED, THE HEALTH MAINTENANCE ORGANIZATION SHALL DEVELOP AND PUBLICIZE PROCEDURES TO ASSURE THAT THE HEALTH MAINTENANCE ORGANIZATION IS NOTIFIED OF THE SERVICES AND RECEIVES ADEQUATE DOCUMENTATION OF THE SERVICES;

(3) A REQUIREMENT THAT A HEALTH MAINTENANCE ORGANIZATION SHALL HAVE A PHYSICIAN AVAILABLE AT ALL TIMES TO PROVIDE DIAGNOSTIC AND TREATMENT SERVICES;

(4) A REQUIREMENT THAT A HEALTH MAINTENANCE ORGANIZATION SHALL ASSURE THAT:

(I) EACH MEMBER WHO IS SEEN FOR A MEDICAL COMPLAINT IS EVALUATED UNDER THE DIRECTION OF A PHYSICIAN; AND

(II) EACH MEMBER WHO RECEIVES DIAGNOSTIC EVALUATION OR TREATMENT IS UNDER THE DIRECT MEDICAL MANAGEMENT OF A HEALTH MAINTENANCE ORGANIZATION PHYSICIAN WHO PROVIDES CONTINUING MEDICAL MANAGEMENT; AND

(5) A REQUIREMENT THAT EACH MEMBER SHALL HAVE AN OPPORTUNITY TO SELECT A PRIMARY PHYSICIAN FROM AMONG THOSE AVAILABLE TO THE HEALTH MAINTENANCE ORGANIZATION.

(C) (1) THE HEALTH MAINTENANCE ORGANIZATION SHALL MAKE AVAILABLE AND ENCOURAGE APPROPRIATE HISTORY AND BASELINE