

UTILIZATION REVIEW ACTIVITIES AND TO MAKE INFORMED DECISIONS ON THE APPROPRIATENESS OF MEDICAL CARE; AND

(4) ENSURE THAT PRIVATE REVIEW AGENTS MAINTAIN THE CONFIDENTIALITY OF MEDICAL RECORDS IN ACCORDANCE WITH APPLICABLE STATE AND FEDERAL LAWS.

19-1303.

(A) A PRIVATE REVIEW AGENT MAY NOT CONDUCT UTILIZATION REVIEW IN THIS STATE UNLESS THE SECRETARY HAS GRANTED THE PRIVATE REVIEW AGENT A CERTIFICATE.

(B) THE SECRETARY SHALL ISSUE A CERTIFICATE TO AN APPLICANT THAT HAS MET ALL THE REQUIREMENTS OF THIS SUBTITLE AND ALL APPLICABLE REGULATIONS OF THE SECRETARY.

(C) THE SECRETARY MAY DELEGATE THE AUTHORITY TO ISSUE A CERTIFICATE TO THE COMMISSIONER FOR ANY HEALTH INSURER OR NONPROFIT HEALTH SERVICE PLAN REGULATED UNDER ARTICLE 48A OF THE CODE OR HEALTH MAINTENANCE ORGANIZATION ISSUED A CERTIFICATE OF AUTHORITY IN ACCORDANCE WITH SUBTITLE 7 OF THIS TITLE THAT MEETS THE REQUIREMENTS OF THIS SUBTITLE AND ALL APPLICABLE REGULATIONS OF THE SECRETARY.

(D) A CERTIFICATE ISSUED UNDER THIS SUBTITLE IS NOT TRANSFERABLE.

(E) THE SECRETARY, AFTER CONSULTATION WITH THE COMMISSIONER, PAYORS, INCLUDING THE HEALTH INSURANCE ASSOCIATION OF AMERICA AND THE MARYLAND ASSOCIATION OF HEALTH MAINTENANCE ORGANIZATIONS, AND PROVIDERS, INCLUDING THE MARYLAND HOSPITAL ASSOCIATION, OF HEALTH CARE, SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SUBTITLE.

19-1304.

(A) AN APPLICANT FOR A CERTIFICATE SHALL:

(1) SUBMIT AN APPLICATION TO THE SECRETARY; AND

(2) PAY TO THE SECRETARY THE APPLICATION FEE ESTABLISHED BY THE SECRETARY THROUGH REGULATION.

(B) THE APPLICATION SHALL:

(1) BE ON A FORM AND ACCOMPANIED BY ANY SUPPORTING DOCUMENTATION THAT THE SECRETARY REQUIRES; AND

(2) BE SIGNED AND VERIFIED BY THE APPLICANT.

(C) THE APPLICATION FEE SHALL BE REASONABLE AND NOT EXCEED FEES REQUIRED UNDER SUBSECTION (A)(2) OF THIS SECTION OR \$