

Section 19-319(d)

Annotated Code of Maryland

(1990 Replacement Volume and 1992 Supplement)

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, each hospital shall establish a utilization review program for all patients admitted to the hospital. The utilization review program:

(i) May be conducted by an independent, nonhospital-affiliated review agent; ~~AND~~

(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 2 years by the Secretary if it meets the minimum standards established under paragraph (3) of this subsection];

(III) SHALL BE CERTIFIED BY THE SECRETARY IF THE PROGRAM MEETS THE MINIMUM STANDARDS ESTABLISHED UNDER PARAGRAPH ~~(3)~~(4) OF THIS SUBSECTION; AND

(IV) SHALL BE RECERTIFIED BY THE SECRETARY IF THE HOSPITAL MAKES ANY CHANGES TO THE PROGRAM AFTER THE INITIAL CERTIFICATION.

(2) ANY CHANGE MADE TO A CERTIFIED UTILIZATION REVIEW PROGRAM SHALL BE REPORTED TO THE SECRETARY BY THE HOSPITAL WITHIN 30 DAYS OF THE DATE THE CHANGE WAS MADE.

~~(2)~~ (3) If a hospital fails to provide the utilization review program required under this subsection, the Secretary may impose the following penalties:

(i) Delicensure of hospital; or

(ii) \$500 per day for each day the violation continues.

~~(3)~~ (4) The Secretary shall, by regulation and in consultation with health care providers and payors, establish minimum standards for a utilization review program, directed at appropriateness and quality of inpatient care, as enumerated in the following items:

(i) Preadmission review of elective admissions;

(ii) Postadmission review of emergency admissions;

(iii) Concurrent or retrospective review of all admissions as appropriate;