

1-304.

(A) A HEALTH CARE PRACTITIONER SHALL DISCLOSE THE NAME OF A REFERRING HEALTH CARE PRACTITIONER ON EACH REQUEST FOR PAYMENT OR BILL SUBMITTED TO A THIRD PARTY PAYOR, INCLUDING NONPROFIT HEALTH PLANS AND FISCAL INTERMEDIARIES AND CARRIERS, THAT MAY BE RESPONSIBLE FOR PAYMENT, IN WHOLE OR IN PART, OF THE CHARGES FOR A HEALTH CARE SERVICE, IF THE HEALTH CARE PRACTITIONER KNOWS OR HAS REASON TO BELIEVE:

(1) THERE HAS BEEN A REFERRAL BY A HEALTH CARE PRACTITIONER;  
AND

(2) THE REFERRING HEALTH CARE PRACTITIONER HAS A BENEFICIAL INTEREST IN OR COMPENSATION ARRANGEMENT WITH THE HEALTH CARE ENTITY THAT IS PROHIBITED UNDER § 1-302 OF THIS SUBTITLE.

(B) A HEALTH CARE PRACTITIONER WHO KNOWS OR SHOULD HAVE KNOWN OF THE PRACTITIONER'S FAILURE TO COMPLY WITH THE PROVISIONS OF THIS SECTION SHALL BE SUBJECT TO DISCIPLINARY ACTION BY THE APPROPRIATE LICENSING BOARD.

1-305.

(A) IF A REFERRING HEALTH CARE PRACTITIONER, A HEALTH CARE ENTITY, OR OTHER PERSON FURNISHING HEALTH CARE SERVICES COLLECTS ANY AMOUNT OF MONEY THAT WAS BILLED IN VIOLATION OF § 1-302(B) OF THIS SUBTITLE AND THE REFERRING HEALTH CARE PRACTITIONER, HEALTH CARE ENTITY, OR OTHER PERSON KNEW OR SHOULD HAVE KNOWN OF THE VIOLATION, THE REFERRING HEALTH CARE PRACTITIONER, HEALTH CARE ENTITY, OR OTHER PERSON IS JOINTLY AND SEVERALLY LIABLE TO THE PAYOR FOR ANY AMOUNTS COLLECTED.

(B) IF A CLAIM, BILL, OR OTHER DEMAND OR REQUEST FOR PAYMENT FOR HEALTH CARE SERVICES IS DENIED UNDER § 19-712.4 OF THE HEALTH - GENERAL ARTICLE OR § 354MM, § 470CC, OR § 477MM OF ARTICLE 48A OF THE CODE, THE REFERRING HEALTH CARE PRACTITIONER, HEALTH CARE ENTITY, OR OTHER PERSON FURNISHING THE HEALTH CARE SERVICES MAY NOT SUBMIT A CLAIM, BILL, OR OTHER DEMAND OR REQUEST FOR PAYMENT TO THE PERSON WHO RECEIVED THE HEALTH CARE SERVICES.

1-306.

A HEALTH CARE PRACTITIONER WHO FAILS TO COMPLY WITH THE PROVISIONS OF THIS SUBTITLE SHALL BE SUBJECT TO DISCIPLINARY ACTION BY THE APPROPRIATE REGULATORY BOARD.