

Annotated Code of Maryland
(1990 Replacement Volume and 1992 Supplement)

BY repealing and reenacting, with amendments,

Article - Health - General

Section 19-705.1(b)(2)

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SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 19-701(d), (e), (f), (g), and (h), respectively, of Article - Health - General of the Annotated Code of Maryland be renumbered to be Section(s) 19-701(e), (f), (g), (h), and (i), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Health - General

19-701.

(D) "EMERGENCY SERVICES" MEANS THOSE HEALTH CARE SERVICES THAT ARE PROVIDED IN A HOSPITAL EMERGENCY FACILITY AFTER THE SUDDEN ONSET OF A MEDICAL CONDITION THAT MANIFESTS ITSELF BY SYMPTOMS OF SUFFICIENT SEVERITY, INCLUDING SEVERE PAIN, THAT THE ABSENCE OF IMMEDIATE MEDICAL ATTENTION COULD REASONABLY BE EXPECTED BY A PRUDENT LAYPERSON, WHO POSSESSES AN AVERAGE KNOWLEDGE OF HEALTH AND MEDICINE, TO RESULT IN:

- (1) PLACING THE PATIENT'S HEALTH IN SERIOUS JEOPARDY;
- (2) SERIOUS IMPAIRMENT TO BODILY FUNCTIONS; OR
- (3) SERIOUS DYSFUNCTION OF ANY BODILY ORGAN OR PART.

19-705.1.

(b) The standards of quality of care shall include:

(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: