

1. Develop and publicize procedures to assure that the health maintenance organization is notified of the services and receives adequate documentation of the services; [and]

2. Develop and provide informational materials to all subscribers and enrollees of the health maintenance organization that clearly describe and inform subscribers and enrollees of their potential responsibility for payment for services rendered by a health care provider, including a physician or hospital, that does not have a written contract with the health maintenance organization; AND

3. DEVELOP AND PROVIDE SPECIFIC INFORMATION TO ALL SUBSCRIBERS AND ENROLLEES OF THE HEALTH MAINTENANCE ORGANIZATION THAT CLEARLY DESCRIBES THE PROCEDURES TO BE FOLLOWED FOR EMERGENCY SERVICES, INCLUDING:

A. THE APPROPRIATE USE OF HOSPITAL EMERGENCY ROOMS;

B. THE APPROPRIATE USE, LOCATION, AND HOURS OF OPERATION OF ANY URGENT CARE FACILITIES OPERATED BY THE HEALTH MAINTENANCE ORGANIZATION; AND

C. THE POTENTIAL RESPONSIBILITY OF SUBSCRIBERS AND ENROLLEES FOR PAYMENT FOR EMERGENCY SERVICES OR NONEMERGENCY SERVICES RENDERED IN A HOSPITAL EMERGENCY FACILITY PURSUANT TO § 19-710(Q) OF THIS SUBTITLE.

19-710.

(Q) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, A HOSPITAL EMERGENCY FACILITY OR A HOSPITAL EMERGENCY HEALTH CARE PROVIDER MAY COLLECT OR ATTEMPT TO COLLECT PAYMENT ~~FROM A SUBSCRIBER OR ENROLLEE FOR HEALTH CARE SERVICES PROVIDED TO THAT SUBSCRIBER OR ENROLLEE FOR A MEDICAL CONDITION THAT IS DETERMINED NOT TO BE AN EMERGENCY AS DEFINED IN § 19-701(D) OF THIS SUBTITLE~~

~~(1) FROM A SUBSCRIBER OR ENROLLEE WHO IS NOT CONTESTING THE REFUSAL OF THE HEALTH MAINTENANCE ORGANIZATION TO PAY FOR THE EMERGENCY SERVICES; AND~~

~~(2) FROM OTHER SUBSCRIBERS OR ENROLLEES AFTER THE CONCLUSION OF ANY PROCEEDING THAT SUSTAINS THE REFUSAL OF THE HEALTH MAINTENANCE ORGANIZATION TO PAY FOR THE EMERGENCY SERVICES FROM A SUBSCRIBER OR ENROLLEE FOR HEALTH CARE SERVICES PROVIDED TO THAT SUBSCRIBER OR ENROLLEE FOR A MEDICAL CONDITION THAT IS DETERMINED NOT TO BE AN EMERGENCY AS DEFINED IN § 19-701(D) OF THIS SUBTITLE.~~

SECTION 3. AND BE IT FURTHER ENACTED, That, in enacting the definition of "emergency services" in Section 2 of this Act without a reference to the reasonable expectation of a "prudent layperson, who possesses an average knowledge of health and medicine", the General Assembly intended to conform the standard to the language of Public Law 99-272, April 7, 1986.