

(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:

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

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.

(3) A requirement that a health maintenance organization shall have a physician available at all times to provide diagnostic and treatment services;

(4) A requirement that a health maintenance organization shall assure that:

(i) Each member who is seen for a medical complaint is evaluated under the direction of a physician; and

(ii) Each member who receives diagnostic evaluation or treatment is under the direct medical management of a health maintenance organization physician who provides continuing medical management; and

(5) A requirement that each member shall have an opportunity to select a primary physician from among those available to the health maintenance organization.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be interpreted to require preauthorization for emergency services as defined in § 19-701(d) of the Health - General Article.

SECTION 2.3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1994. January 1, 1995.