

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1994.

Approved May 26, 1994.

CHAPTER 599

(House Bill 811)

AN ACT concerning

Health Care – Utilization Review – Adverse Decisions

FOR the purpose of specifying that, if a course of treatment has been preauthorized or approved for a patient, a private review agent may not retrospectively render an adverse decision regarding the preauthorized or approved services delivered to that patient; providing certain exceptions; and generally relating to utilization review with respect to health care services.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19-1301(b)

Annotated Code of Maryland

(1990 Replacement Volume and 1993 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19-1305.2

Annotated Code of Maryland

(1990 Replacement Volume and 1993 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health – General

19-1301.

(b) (1) “Adverse decision” means a utilization review determination made by a private review agent that a proposed or delivered health care service:

- (i) Is or was not necessary, appropriate, or efficient; and
- (ii) May result in noncoverage of the health care service.

(2) There is no adverse decision if the private review agent and the health care provider on behalf of the patient reach an agreement on the proposed or delivered health care services.