

19-3B-09.

(A) A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE OR ANY REGULATION ADOPTED UNDER THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A PENALTY NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH. EACH DAY A VIOLATION IS CONTINUED AFTER THE FIRST CONVICTION IS A SEPARATE OFFENSE.

(B) (1) IN ADDITION TO THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION, THE SECRETARY MAY IMPOSE AN ADMINISTRATIVE PENALTY OF UP TO \$1,000 FOR A VIOLATION OF ANY PROVISION OF THIS SUBTITLE OR ANY REGULATIONS ADOPTED UNDER THIS SUBTITLE.

(2) THE SECRETARY SHALL ADOPT REGULATIONS TO PROVIDE STANDARDS FOR THE IMPOSITION OF AN ADMINISTRATIVE PENALTY UNDER PARAGRAPH (1) OF THIS SUBSECTION.

19-705.1.

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

(1) (I) A requirement that a health maintenance organization shall provide for regular hours during which a member may receive services, including providing for services to a member in a timely manner that takes into account the immediacy of need for services; AND

(II) PROVISIONS FOR ASSURING THAT ALL COVERED SERVICES, INCLUDING ANY SERVICES FOR WHICH THE HEALTH MAINTENANCE ORGANIZATION HAS CONTRACTED, ARE ACCESSIBLE TO THE ENROLLEE WITH REASONABLE SAFEGUARDS WITH RESPECT TO GEOGRAPHIC LOCATIONS.

19-706.

(k) A health maintenance organization shall:

(1) (I) Classify an obstetrician/gynecologist as a primary care physician; or

~~[(2)](II) [Permit] IF THE OBSTETRICIAN/GYNECOLOGIST CHOOSES NOT TO BE A PRIMARY CARE PHYSICIAN, PERMIT a woman to receive [an annual visit to an in-network obstetrician/gynecologist for routine] gynecological care FROM AN IN-NETWORK OBSTETRICIAN/GYNECOLOGIST without requiring the woman to first visit a primary care provider, PROVIDED THAT:~~

~~1: THE CARE IS MEDICALLY NECESSARY, INCLUDING CARE THAT IS ROUTINE; AND~~

~~2: FOLLOWING EACH VISIT FOR GYNECOLOGICAL CARE, THE OBSTETRICIAN/GYNECOLOGIST SHALL COMMUNICATE WITH THE WOMAN'S PRIMARY CARE PHYSICIAN CONCERNING ANY DIAGNOSIS OR TREATMENT RENDERED;~~

~~(2) CONDUCT AN ANNUAL PATIENT SURVEY FOR DETERMINING PATIENT SATISFACTION WITH ACCESS TO GYNECOLOGICAL CARE; AND~~