

(f) Failure to report pursuant to the requirements of this section shall result in imposition of a civil penalty of up to \$5,000 by a circuit court of this State.

490CC.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "CARRIER" MEANS:

(I) AN INSURER;

(II) A NONPROFIT HEALTH SERVICE PLAN;

(III) A HEALTH MAINTENANCE ORGANIZATION;

(IV) A DENTAL PLAN ORGANIZATION; OR

(V) ANY OTHER PERSON OR ORGANIZATION THAT PROVIDES HEALTH BENEFIT PLANS SUBJECT TO STATE REGULATION.

(3) "HEALTH CARE PRACTITIONER" MEANS ANY INDIVIDUAL WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED UNDER THE HEALTH OCCUPATIONS ARTICLE TO PROVIDE HEALTH CARE SERVICES.

(B) A CARRIER THAT REIMBURSES A HEALTH CARE PRACTITIONER ON AN AGGREGATE FIXED SUM BASIS OR ON A PER CAPITA BASIS MAY NOT REIMBURSE THE HEALTH CARE PRACTITIONER IN AN AMOUNT LESS THAN THE SUM OR RATE NEGOTIATED IN THE CARRIER'S PROVIDER CONTRACT WITH THE HEALTH CARE PRACTITIONER.

(C) THIS SECTION DOES NOT PROHIBIT A CARRIER FROM PROVIDING BONUSES OR OTHER INCENTIVE-BASED COMPENSATION TO A HEALTH CARE PRACTITIONER IF THE BONUS OR OTHER INCENTIVE-BASED COMPENSATION DOES NOT:

(1) VIOLATE THE PROVISIONS OF § 19-705.1 OF THE HEALTH - GENERAL ARTICLE; OR

(2) DETER THE DELIVERY OF MEDICALLY APPROPRIATE CARE TO AN ENROLLEE.

Article — Health — General

15-102.2.

(A) (1) IN THIS SECTION, "PRACTITIONER" MEANS A PERSON LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED UNDER THE HEALTH OCCUPATIONS ARTICLE TO PROVIDE HEALTH CARE SERVICES IN THE ORDINARY COURSE OF BUSINESS OF A PROFESSION.

(2) "PRACTITIONER" INCLUDES A PHARMACY, PROFESSIONAL SERVICES CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY, PROFESSIONAL OFFICE, OR ANY OTHER ENTITY AUTHORIZED TO RENDER PROFESSIONAL SERVICES FOR OR ON BEHALF OF A PRACTITIONER.