

qualified HMO. This in turn could create a substantial unevenness in the playing field among HMOs, with some subject to the law and some not. There is nothing to suggest that the Conference Committee was aware of, or considered, this possibility.

In conclusion, I strongly urge the parties, in consultation with legislative leaders, the Department of Health and Mental Hygiene and the Department of Budget and Fiscal Planning, to come together to reach a negotiated solution to this issue. As managed care becomes more and more prevalent, the growing pains associated with this still emerging system of health care delivery are best resolved in a process that allows for the full airing of all issues, and for the balancing, to the extent possible, of all interests.

For these reasons, I have vetoed House Bill 615.

Sincerely,
Parris N. Glendening
Governor

House Bill No. 615

AN ACT concerning

Health Maintenance Organizations – Reimbursements – Services in Hospital Emergency Facilities

FOR the purpose of ~~authorizing a health maintenance organization to collect payments from a certain individual for certain services provided in a hospital emergency facility if the services are determined not to be emergency services; prohibiting a health maintenance organization from collecting payments from a certain individual for certain services provided in a hospital emergency facility under certain circumstances;~~ requiring a health maintenance organization to reimburse health care providers for certain services provided to a certain individual in a hospital emergency facility under certain circumstances; requiring certain health care providers to attempt to notify an enrollee's or subscriber's health maintenance organization under certain circumstances; providing a certain exception; and generally relating to payments by certain persons for certain health care services provided in hospital emergency facilities.

BY repealing and reenacting, with amendments,
Article – Health – General
Section ~~19-710(q)~~ and 19-712.1
Annotated Code of Maryland
(1990 Replacement Volume and 1994 Supplement)

Preamble

WHEREAS, Federal statutory law (Section 1867 of the Social Security Act, 42 USC § 1395(dd)) and federal regulations (42 CFR Parts 488, 489, and 1003) require hospital emergency facilities to perform examinations of patients prior to inquiring about methods of payment or insurance coverage; now, therefore,