

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

Article - Health - General

~~19-710.~~

~~(g) (1) [Notwithstanding any other provision of this section, a hospital emergency facility] EXCEPT AS PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION, A HEALTH MAINTENANCE ORGANIZATION may collect or attempt to collect payment from a subscriber or enrollee for health care services provided to that subscriber or enrollee [for a medical condition that is determined not to be an emergency as defined in § 19-701(d) of this subtitle] IN A HOSPITAL EMERGENCY FACILITY IF THE SERVICES ARE DETERMINED NOT TO BE EMERGENCY SERVICES.~~

~~(2) A HEALTH MAINTENANCE ORGANIZATION MAY NOT COLLECT OR ATTEMPT TO COLLECT PAYMENT FROM A SUBSCRIBER OR ENROLLEE FOR HEALTH CARE SERVICES PROVIDED TO THAT SUBSCRIBER OR ENROLLEE IN A HOSPITAL EMERGENCY FACILITY IF THE HEALTH MAINTENANCE ORGANIZATION DIRECTED OR REFERRED IN ANY MANNER THE SUBSCRIBER OR ENROLLEE TO THE HOSPITAL EMERGENCY FACILITY FOR HEALTH CARE SERVICES.~~

19-712.1.

(a) For covered services rendered to its members, a health maintenance organization shall reimburse any provider within 30 days after receipt of a claim that is accompanied by all reasonable and necessary documentation.

(b) (1) If a health maintenance organization fails to comply with subsection (a) of this section, the health maintenance organization shall pay interest beginning with the 31st day on the amount of the claim that remains unpaid after 30 days following the receipt of the claim.

(2) The interest payable shall be at the rate of 1.5 percent per month simple interest prorated for any portion of a month.

(3) Except as provided in subsection ~~(e)~~ (D) of this section, when paying a claim more than 30 days after its receipt, the health maintenance organization shall add the interest payable to the amount of the unpaid claim without the necessity for any claim for that interest to be made by the provider filing the original claim.

(c) (1) SUBJECT TO PARAGRAPH ~~(2)~~ (3) OF THIS SUBSECTION, A HEALTH MAINTENANCE ORGANIZATION SHALL REIMBURSE A HEALTH CARE PROVIDER FOR ~~EMERGENCY~~ SERVICES PROVIDED TO A SUBSCRIBER OR ENROLLEE IN A HOSPITAL EMERGENCY FACILITY IN THE FOLLOWING MANNER:

(I) AT THE CONTRACTED RATE FOR A HEALTH CARE PROVIDER UNDER WRITTEN CONTRACT WITH THE HEALTH MAINTENANCE ORGANIZATION;

(II) AT THE USUAL, CUSTOMARY, AND REASONABLE RATE FOR A NONHOSPITAL HEALTH CARE PROVIDER THAT IS NOT UNDER WRITTEN CONTRACT WITH THE HEALTH MAINTENANCE ORGANIZATION; AND