

(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] A 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.

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(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 PROVIDER" MEANS:

~~(A)~~ ANY INDIVIDUAL WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED UNDER THE HEALTH OCCUPATIONS ARTICLE TO PROVIDE HEALTH CARE SERVICES; ~~OR~~

~~(B) A HOSPITAL LICENSED UNDER TITLE 19 OF THE HEALTH GENERAL ARTICLE~~

(B) A CARRIER, AS A CONDITION OF A CONTRACT WITH A HEALTH CARE PROVIDER, OR IN ANY OTHER MANNER, MAY NOT PROHIBIT A HEALTH CARE PROVIDER FROM DISCUSSING OR COMMUNICATING TO AN ENROLLEE, PUBLIC OFFICIAL, SUBSCRIBER, OR OTHER PERSON INFORMATION THAT IS NECESSARY OR APPROPRIATE FOR THE DELIVERY OF HEALTH CARE SERVICES, INCLUDING:

- (1) COMMUNICATIONS RELATING TO TREATMENT ALTERNATIVES;
- (2) COMMUNICATIONS NECESSARY OR APPROPRIATE TO MAINTAIN THE PROVIDER-PATIENT RELATIONSHIP WHILE THE PATIENT IS UNDER THE PROVIDER'S CARE;