

the patient first visiting a primary care provider, and does not account for the women who must see their OB/GYN more than once in a 12-month period; and

WHEREAS, Allowing women to receive all gynecological care from certain OB/GYN doctors without first requiring them to visit a primary care physician would improve their access to OB/GYN doctors; now, therefore,

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

Article 48A - Insurance Code

490Z.

(a) Any insurer or nonprofit health service plan that provides hospital, medical, or surgical benefits for issuance or delivery in the State to any group or individual on an expense-incurred basis, including a health maintenance organization, shall:

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

(2) [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:

(I) THE CARE IS MEDICALLY NECESSARY, INCLUDING, BUT NOT LIMITED TO, CARE THAT IS ROUTINE; ~~AND~~

(II) FOLLOWING EACH VISIT FOR GYNECOLOGICAL CARE, THE OBSTETRICIAN/GYNECOLOGIST COMMUNICATES WITH THE WOMAN'S PRIMARY CARE PHYSICIAN CONCERNING ANY DIAGNOSIS OR TREATMENT RENDERED; ~~AND~~

(III) THE OBSTETRICIAN/GYNECOLOGIST OBTAINS APPROVAL FROM CONFERS WITH THE PRIMARY CARE PHYSICIAN BEFORE PERFORMING ANY DIAGNOSTIC OR NONEMERGENCY PROCEDURE THAT IS NOT ROUTINE GYNECOLOGICAL CARE RENDERED DURING AN ANNUAL VISIT.

Article - Health - General

19-706.

(k) (1) A health maintenance organization shall:

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

(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, BUT NOT LIMITED TO, CARE THAT IS ROUTINE; ~~AND~~