

CONDUCT OF ANY OTHER PERSON OTHER THAN THE HEALTH CARE PROVIDER OR THE HEALTH CARE PROVIDER'S AGENTS OR EMPLOYEES A COVERAGE DECISION OR NEGLIGENT ACT OF THE INSURER.

490DD.

(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] 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 APPLIES TO ANY METHOD OF REIMBURSEMENT USED BY A CARRIER TO REIMBURSE A HEALTH CARE PRACTITIONER, INCLUDING REIMBURSEMENT MADE ON A CAPITATED OR NONCAPITATED BASIS.~~

~~†(c)†(d)~~ 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.

490FF.

(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 MAINTIENANCE ORGANIZATION;
- (IV) A DENTAL PLAN ORGANIZATION; OR