

Preamble

~~WHEREAS, Over 10,000 Marylanders, over the age of 65, reside in continuing care retirement communities; and~~

~~WHEREAS, Many older citizens choose to live in continuing care retirement communities for the rest of their lives; and~~

~~WHEREAS, Continuing care retirement communities provide the entire continuum of health care services; and~~

~~WHEREAS, Continuing care retirement communities are wellness managed care organizations that have been in existence for over 20 years; and~~

~~WHEREAS, Health care services delivered in one's home are more cost effective for the individual and the entire health care system and are better for the physical, mental, and overall well being of an individual; and~~

~~WHEREAS, Geographic separation for married individuals who reside together in a continuing care retirement community would occur if they could not return to their continuing care retirement community for rehabilitation and recuperation; now, therefore;~~

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

Article - Health - General

19-712.6.

(A) WHENEVER A SUBSCRIBER OR AN ENROLLEE OF A HEALTH MAINTENANCE ORGANIZATION IS A RESIDENT OF A CONTINUING CARE FACILITY THAT IS REGULATED UNDER ARTICLE 70B OF THE CODE AND RECEIVED HEALTH CARE SERVICES IN AN ACUTE CARE HEALTH CARE FACILITY, THE RESIDENT'S PRIMARY CARE PHYSICIAN SHALL REFER, IF MEDICALLY APPROPRIATE, THE RESIDENT, ~~IF MEDICALLY APPROPRIATE~~, TO THE RESIDENT'S CONTINUING CARE FACILITY FOR THE PROVISION OF HEALTH CARE SERVICES, AS PROVIDED IN THE RESIDENT'S CONTINUING CARE AGREEMENT SKILLED NURSING UNIT AT THE RESIDENT'S CONTINUING CARE FACILITY FOR THE PROVISION OF THE HEALTH CARE SERVICES INCLUDED IN THE RESIDENT'S HEALTH MAINTENANCE ORGANIZATION MEDICARE CONTRACT, IF:

(1) THE PRIMARY CARE PHYSICIAN AND THE RESIDENT OR THE DESIGNATED REPRESENTATIVE OF THE RESIDENT DO NOT CHOOSE AN ALTERNATIVE COURSE OF TREATMENT;

(2) THE CONTINUING CARE FACILITY AGREES TO BE REIMBURSED AT THE CONTRACT RATE NEGOTIATED BY THE HEALTH MAINTENANCE ORGANIZATION WITH SIMILAR PROVIDERS FOR THE PROVISION OF THE SAME HEALTH CARE SERVICES AND SUPPLIES, AND BECOMES A CONTRACTING PROVIDER IN ACCORDANCE WITH THE HEALTH MAINTENANCE ORGANIZATION'S STANDARD