

(3) (I) "MEMBER" MEANS AN INDIVIDUAL ENTITLED TO HEALTH CARE BENEFITS UNDER A POLICY; OR PLAN, OR CERTIFICATE ISSUED OR DELIVERED IN THE STATE BY A CARRIER.

(II) "MEMBER" INCLUDES A SUBSCRIBER.

(4) "PROVIDER PANEL" MEANS THOSE PROVIDERS WITH WHICH A CARRIER CONTRACTS TO PROVIDE SERVICES TO ITS MEMBERS.

(5) ~~"SPECIALIST" MEANS A PHYSICIAN WHO IS NOT A PRIMARY CARE PROVIDER. "SPECIALIST" MEANS AN INDIVIDUAL WHO:~~

~~(I) IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED UNDER THE HEALTH OCCUPATIONS ARTICLE TO PROVIDE HEALTH CARE IN THE ORDINARY COURSE OF BUSINESS OR PRACTICE OF A PROFESSION; AND~~

~~(II) IS NOT A PRIMARY CARE PHYSICIAN. "SPECIALIST" MEANS A PHYSICIAN WHO IS CERTIFIED OR TRAINED TO PRACTICE IN A SPECIFIED FIELD OF MEDICINE AND WHO IS NOT DESIGNATED AS A PRIMARY CARE PROVIDER BY THE CARRIER~~

(B) (1) EACH CARRIER THAT DOES NOT ALLOW DIRECT ACCESS TO SPECIALISTS SHALL ESTABLISH AND IMPLEMENT A PROCEDURE BY WHICH A MEMBER MAY RECEIVE A STANDING REFERRAL TO A SPECIALIST IN ACCORDANCE WITH THIS SUBSECTION.

(2) THE PROCEDURE SHALL PROVIDE FOR A STANDING REFERRAL TO A SPECIALIST IF:

(I) THE PRIMARY CARE ~~PROVIDER~~ PHYSICIAN OF THE MEMBER DETERMINES, IN CONSULTATION WITH THE SPECIALIST, THAT THE MEMBER NEEDS CONTINUING CARE FROM THE SPECIALIST;

(II) THE MEMBER HAS A CONDITION OR DISEASE THAT:

1. IS LIFE THREATENING, DEGENERATIVE, CHRONIC, OR DISABLING; AND

2. REQUIRES SPECIALIZED MEDICAL CARE; AND

(III) THE SPECIALIST:

1. HAS EXPERTISE IN TREATING THE LIFE-THREATENING, DEGENERATIVE, CHRONIC, OR DISABLING DISEASE OR CONDITION; AND

2. IS PART OF THE CARRIER'S PROVIDER PANEL.

(3) A STANDING REFERRAL SHALL BE MADE IN ACCORDANCE WITH A WRITTEN TREATMENT PLAN ~~THAT IS APPROVED BY THE CARRIER IN CONSULTATION WITH:~~ FOR A COVERED SERVICE DEVELOPED BY:

(I) THE PRIMARY CARE ~~PROVIDER~~ PHYSICIAN;

(II) THE SPECIALIST; AND