

~~(3) IF A SPECIALIST ACTS AS THE PRIMARY CARE COORDINATOR FOR A MEMBER IN ACCORDANCE WITH THIS SUBSECTION, THE SPECIALIST SHALL:~~

~~(A) ACT IN ACCORDANCE WITH A WRITTEN TREATMENT PLAN THAT IS APPROVED BY THE CARRIER IN CONSULTATION WITH: FOR A COVERED SERVICE DEVELOPED BY:~~

- ~~1. THE PRIMARY CARE PROVIDER PHYSICIAN;~~
- ~~2. THE SPECIALIST; AND~~
- ~~3. THE MEMBER; AND~~

~~(H) COMMUNICATE REGULARLY WITH THE PRIMARY CARE PROVIDER PHYSICIAN REGARDING THE TREATMENT AND HEALTH STATUS OF THE MEMBER.~~

~~(B) (C) (1) EACH CARRIER SHALL ESTABLISH AND IMPLEMENT A PROCEDURE BY WHICH A MEMBER MAY REQUEST A REFERRAL TO A SPECIALIST WHO IS NOT PART OF THE CARRIER'S PROVIDER PANEL IN ACCORDANCE WITH THIS SUBSECTION.~~

(2) THE PROCEDURE SHALL PROVIDE FOR A REFERRAL TO A SPECIALIST WHO IS NOT PART OF THE CARRIER'S PROVIDER PANEL IF:

(I) THE MEMBER IS DIAGNOSED WITH A CONDITION OR DISEASE THAT REQUIRES SPECIALIZED MEDICAL CARE;

(II) THE CARRIER DOES NOT HAVE IN ITS PROVIDER PANEL A SPECIALIST WITH THE ~~SAME~~ PROFESSIONAL TRAINING AND EXPERTISE ~~AS THE SPECIALIST FROM WHOM THE MEMBER SEEKS TREATMENT; TO TREAT THE~~ CONDITION OR DISEASE; AND

(III) ~~THE SPECIALIST HAS EXPERTISE IN TREATING THE DISEASE OR~~ CONDITION; AND

~~(F) THE SPECIALIST AGREES TO ACCEPT THE SAME REIMBURSEMENT AS WOULD BE PROVIDED TO A SPECIALIST WHO IS PART OF THE CARRIER'S PROVIDER PANEL.~~

~~(E) A DECISION BY A CARRIER NOT TO PROVIDE ACCESS TO OR COVERAGE OF TREATMENT BY A SPECIALIST UNDER A PROCEDURE REQUIRED UNDER THIS SECTION CONSTITUTES AN ADVERSE DECISION AS DEFINED UNDER SUBTITLE 10A OF THIS TITLE.~~

(E) (D) A DECISION BY A CARRIER NOT TO PROVIDE ACCESS TO OR COVERAGE OF TREATMENT BY A SPECIALIST IN ACCORDANCE WITH THIS SECTION CONSTITUTES AN ADVERSE DECISION AS DEFINED UNDER SUBTITLE 10A OF THIS TITLE IF THE DECISION IS BASED ON A FINDING THAT THE PROPOSED SERVICE IS NOT MEDICALLY NECESSARY, APPROPRIATE, OR EFFICIENT.

~~(F) (E) EACH CARRIER SHALL FILE WITH THE COMMISSIONER A COPY OF EACH OF THE PROCEDURES REQUIRED UNDER THIS SECTION.~~