

Annotated Code of Maryland
(1996 Volume and 1998 Supplement)

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

Article - Insurance

15-303.

(F) EACH POLICY OF GROUP HEALTH INSURANCE SHALL CONTAIN A PROVISION THAT REQUIRES THE EMPLOYER, LABOR UNION, ASSOCIATION, OR OTHER ENTITY TO WHICH A POLICY OF GROUP HEALTH INSURANCE HAS BEEN ISSUED TO CONTINUE TO PAY THE PREMIUM FOR AN EMPLOYEE, MEMBER, OR DEPENDENT UNDER THE POLICY UNTIL NOTICE OF TERMINATION OF COVERAGE HAS BEEN RECEIVED BY THE INSURER.

15-10B-07.

(c) (1) Except as provided in paragraph (2) of this subsection, if a course of treatment has been preauthorized or approved for a patient, a private review agent may not retrospectively render an adverse decision regarding the preauthorized or approved services delivered to that patient.

(2) A private review agent may retrospectively render an adverse decision regarding preauthorized or approved services delivered to a patient if:

(i) [the patient, on the date the services were rendered, was not insured by or an enrollee, subscriber, or member of the entity that the private review agent is affiliated with, under contract with, or acting on behalf of;

(ii) the information submitted to the private review agent regarding the services to be delivered to the patient was fraudulent or intentionally misrepresentative or critical information requested by the private review agent regarding services to be delivered to the patient was omitted such that the private review agent's determination would have been different had it known the critical information; OR

[(iii) except for determinations of appropriateness or medical necessity of the covered services that were preauthorized, the services would not be covered in whole or in part under the policy or contract; or

(iv)] (II) the planned course of treatment for the patient that was approved by the private review agent was not substantially followed by the provider.

Article - Health - General

19-706.

(FF) THE PROVISIONS OF § 15-303(F) OF THE INSURANCE ARTICLE APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1999.