

~~(B) (1) AN INTERNAL APPEAL PROCESS SHALL INCLUDE AN EXPEDITED PROCEDURE FOR USE IN AN EMERGENCY CASE FOR PURPOSES OF RENDERING AN APPEAL DECISION WITHIN 24 HOURS AFTER THE DATE AN APPEAL IS FILED WITH THE CARRIER.~~

~~(2) THE INTERNAL APPEAL PROCESS SHALL PROVIDE THAT A CARRIER RENDER AN APPEAL DECISION IN WRITING.~~

~~(B) AN INTERNAL APPEAL PROCESS ESTABLISHED BY A CARRIER UNDER THIS SECTION SHALL PROVIDE THAT A CARRIER RENDER A FINAL DECISION IN WRITING TO A MEMBER, AND A HEALTH CARE PROVIDER ACTING ON BEHALF OF THE MEMBER, WITHIN 60 WORKING DAYS AFTER THE DATE ON WHICH THE APPEAL IS FILED.~~

(C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE CARRIER'S INTERNAL APPEAL PROCESS SHALL BE EXHAUSTED PRIOR TO FILING A COMPLAINT WITH THE COMMISSIONER UNDER THIS SUBTITLE.

(D) (1) A MEMBER OR A HEALTH CARE PROVIDER FILING A COMPLAINT ON BEHALF OF A MEMBER MAY FILE A COMPLAINT WITH THE COMMISSIONER WITHOUT FIRST FILING AN APPEAL WITH A CARRIER ONLY IF THE COVERAGE DECISION INVOLVES AN URGENT MEDICAL CONDITION, AS DEFINED BY REGULATION ADOPTED BY THE COMMISSIONER, FOR WHICH CARE HAS NOT BEEN RENDERED AND RECEIVING AN APPEAL DECISION IF THE MEMBER OR THE HEALTH CARE PROVIDER PROVIDES SUFFICIENT INFORMATION AND SUPPORTING DOCUMENTATION IN THE COMPLAINT THAT DEMONSTRATES A COMPELLING REASON TO DO SO.

~~(2) THE COMMISSIONER SHALL DEFINE BY REGULATION THE STANDARDS THAT THE COMMISSIONER SHALL USE TO DECIDE WHAT DEMONSTRATES A COMPELLING REASON UNDER PARAGRAPH (1) OF THIS SUBSECTION.~~

~~(E) (1) FOR NONEMERGENCY CASES, EACH CARRIER'S INTERNAL APPEAL PROCESS ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION SHALL INCLUDE A PROVISION THAT REQUIRES THE CARRIER TO:~~

~~(1) DOCUMENT IN WRITING ANY COVERAGE DECISION OR APPEAL DECISION MADE BY THE CARRIER; AND~~

~~(H) WITHIN 5 WORKING DAYS AFTER THE DECISION HAS BEEN MADE, SEND NOTICE OF THE COVERAGE DECISION OR APPEAL DECISION TO:~~

~~1. THE MEMBER; AND~~

~~2. IF THE GRIEVANCE WAS FILED ON BEHALF OF THE MEMBER, THE HEALTH CARE PROVIDER.~~

~~(2) NOTICE OF THE COVERAGE DECISION OR APPEAL DECISION REQUIRED TO BE SENT UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL:~~

~~(1) STATE IN DETAIL IN CLEAR, UNDERSTANDABLE LANGUAGE THE SPECIFIC FACTUAL BASES FOR THE CARRIER'S DECISION;~~

~~(H) INCLUDE THE FOLLOWING INFORMATION:~~