

15-10B-14.

THE COMMISSIONER MAY WAIVE THE REQUIREMENTS OF THIS SUBTITLE FOR A PRIVATE REVIEW AGENT THAT OPERATES SOLELY UNDER CONTRACT WITH THE FEDERAL GOVERNMENT FOR UTILIZATION REVIEW OF PATIENTS ELIGIBLE FOR HOSPITAL SERVICES UNDER TITLE XVIII OF THE SOCIAL SECURITY ACT.

[15-10B-15.

A private review agent may not disclose or publish individual medical records or any other confidential medical information obtained in the performance of utilization review activities.]

15-10B-15.

THE COMMISSIONER SHALL PERIODICALLY PROVIDE A LIST OF PRIVATE REVIEW AGENTS ISSUED CERTIFICATES AND THE RENEWAL DATE FOR THOSE CERTIFICATES TO ANY PERSON ON REQUEST.

[15-10B-16.

(a) (1) Except as provided in paragraph (2) of this subsection, this section does not apply to:

(i) a private review agent referring an individual to a health care provider or facility that participates in a health maintenance organization;

(ii) a preferred provider organization network of participating health care providers or facilities to which the individual would otherwise be referred as part of the individual's membership or insurance contract; or

(iii) an employee assistance program referring an individual to a network of participating health care providers or facilities in accordance with a contract with the individual's employer or labor union to provide comprehensive mental health and substance abuse services.

(2) A private review agent or any other individual who is either affiliated with, under contract with, or acting on behalf of a private review agent may not approve or fail to approve a course of treatment based on whether the treatment is delivered by a provider who is a participating or nonparticipating provider in the preferred provider organization or employee assistance program network.

(b) A private review agent or any individual who is either affiliated with, under contract with, or acting on behalf of a private review agent may not:

(1) refer a patient who has undergone utilization review by the private review agent to:

(i) a health care facility in which the private review agent owns a significant beneficial interest; or

(ii) the private review agent's own health care practice;