

(2) pay or agree to pay any sum to, or accept or agree to accept any sum from, any person for bringing or referring a patient to the private review agent; or

(3) provide for different insurance coverage or benefits based on receiving the service from a health care facility or health care provider in which the private review agent owns a significant beneficial interest.

(c) 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 refer a patient who has undergone utilization review by the private review agent to another health care provider regulated under the Health Occupations Article if:

(1) (i) the patient or provider requests the private review agent to provide the patient with the name of a health care provider appropriate to meet the health care needs of the patient; or

(ii) the patient has no attending physician; and

(2) the private review agent provides the patient with the names of at least 2 health care providers appropriate to meet the health care needs of the patient.]

15-10B-16.

THE COMMISSIONER MAY ESTABLISH REPORTING REQUIREMENTS TO:

(1) EVALUATE THE EFFECTIVENESS OF PRIVATE REVIEW AGENTS; AND

(2) DETERMINE IF THE UTILIZATION REVIEW PROGRAMS ARE IN COMPLIANCE WITH THE PROVISIONS OF THIS SECTION AND APPLICABLE REGULATIONS.

[15-10B-17.

(a) A person who violates any provision of this subtitle or any regulation adopted under this subtitle is guilty of a misdemeanor and on conviction is subject to a penalty not exceeding \$1,000. Each day a violation is continued after the first conviction is a separate offense.

(b) (1) In addition to the provisions of subsection (a) of this section, the Commissioner may impose an administrative penalty of up to \$5,000 for a violation of any provision of this subtitle.

(2) The Commissioner shall adopt regulations to provide standards for the imposition of an administrative penalty under paragraph (1) of this subsection.]

15-10B-17.

(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;