

(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;

(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