

(4) (I) "HEALTH CARE PROVIDER" MEANS A HEALTH CARE PRACTITIONER LICENSED UNDER TITLE 14 OF THE HEALTH OCCUPATIONS ARTICLE.

(II) "HEALTH CARE PROVIDER" DOES NOT INCLUDE:

1. A RESPIRATORY CARE PRACTITIONER;
2. A RADIATION ONCOLOGY/THERAPY TECHNOLOGIST;
3. A MEDICAL RADIATION TECHNOLOGIST; OR
4. A NUCLEAR MEDICINE TECHNOLOGIST.

(5) "MEDICAL ASSISTANCE PROGRAM ACCOUNT" MEANS AN ACCOUNT ESTABLISHED WITHIN THE FUND THAT IS AVAILABLE TO THE MARYLAND MEDICAL ASSISTANCE PROGRAM UNDER THE TERMS PROVIDED UNDER SUBSECTION (Q) OF THIS SECTION.

(6) "MEDICAL INJURY" HAS THE MEANING STATED IN § 3-2A-01 OF THE COURTS ARTICLE.

(7) "MEDICAL PROFESSIONAL LIABILITY INSURER" MEANS AN INSURER THAT:

(I) ON OR BEFORE JANUARY 1, 2005, HOLDS A CERTIFICATE OF AUTHORITY ISSUED BY THE COMMISSIONER UNDER § 4-109 OR § 4-112 OF THIS ARTICLE; AND

(II) ISSUES OR DELIVERS A POLICY IN THE STATE THAT INSURES A HEALTH CARE PROVIDER AGAINST DAMAGES DUE TO A MEDICAL INJURY.

(8) "RATE STABILIZATION ACCOUNT" MEANS AN ACCOUNT ESTABLISHED WITHIN THE FUND THAT IS AVAILABLE TO SUBSIDIZE AGREEMENTS UNDER SUBSECTION (J) OF THIS SECTION.

(B) THERE IS A MARYLAND MEDICAL PROFESSIONAL LIABILITY INSURANCE RATE STABILIZATION FUND.

(C) THE PURPOSES OF THE FUND ARE TO:

(1) RETAIN HEALTH CARE PROVIDERS IN THE STATE BY ALLOWING MEDICAL PROFESSIONAL LIABILITY INSURERS TO CHARGE MEDICAL PROFESSIONAL LIABILITY INSURANCE RATES THAT ARE LESS THAN THE RATES APPROVED UNDER § 11-201 OF THIS ARTICLE;

(2) INCREASE THE FEE-FOR-SERVICE RATES PAID BY THE MARYLAND MEDICAL ASSISTANCE PROGRAM TO PHYSICIANS IDENTIFIED UNDER SUBSECTION (Q) OF THIS SECTION;

(3) INCREASE CAPITATION PAYMENTS MADE TO MANAGED CARE ORGANIZATIONS THAT PARTICIPATE IN THE MARYLAND MEDICAL ASSISTANCE PROGRAM TO PAY NETWORK PHYSICIANS IDENTIFIED UNDER SUBSECTION (Q) OF THIS SECTION AT LEAST 100% OF THE FEE SCHEDULE USED IN FEE-FOR-SERVICE RATES PAID BY THE MARYLAND MEDICAL ASSISTANCE PROGRAM; AND