

(II) UNLESS PREEMPTED BY FEDERAL LAW, A MEDICARE RECIPIENT.

(3) "MEMBER" DOES NOT INCLUDE A MEDICAID RECIPIENT.

~~(J)~~ (K) "PRIVATE REVIEW AGENT" HAS THE MEANING STATED IN § 15-10B-01 OF THIS TITLE.

15-10A-02.

(A) EACH CARRIER SHALL ESTABLISH AN INTERNAL GRIEVANCE PROCESS FOR ITS MEMBERS.

(B) (1) AN INTERNAL GRIEVANCE PROCESS SHALL MEET THE SAME REQUIREMENTS ESTABLISHED UNDER SUBTITLE 10B OF THIS TITLE.

(2) IN ADDITION TO THE REQUIREMENTS OF SUBTITLE 10B OF THIS TITLE, AN INTERNAL GRIEVANCE PROCESS ESTABLISHED BY A CARRIER UNDER THIS SECTION SHALL:

(I) INCLUDE AN EXPEDITED PROCEDURE FOR USE IN AN EMERGENCY CASE FOR PURPOSES OF RENDERING A GRIEVANCE DECISION WITHIN 24 HOURS OF THE DATE A GRIEVANCE IS FILED WITH THE CARRIER;

(II) PROVIDE THAT A CARRIER RENDER A FINAL DECISION ~~IN PRINT~~ IN WRITING ON A GRIEVANCE WITHIN 30 WORKING DAYS AFTER THE DATE ON WHICH THE GRIEVANCE IS FILED UNLESS:

1. THE GRIEVANCE INVOLVES AN EMERGENCY CASE UNDER ITEM (I) OF THIS PARAGRAPH; ~~OR~~

2. THE MEMBER OR A HEALTH CARE PROVIDER FILING A GRIEVANCE ON BEHALF OF A MEMBER AGREES IN WRITING TO AN EXTENSION FOR A PERIOD OF NO LONGER THAN 30 WORKING DAYS; ~~AND OR~~

3. THE GRIEVANCE INVOLVES A RETROSPECTIVE DENIAL UNDER ITEM (IV) OF THIS PARAGRAPH;

(III) ALLOW A GRIEVANCE TO BE FILED ON BEHALF OF A MEMBER BY A HEALTH CARE PROVIDER; ~~AND~~

(IV) PROVIDE THAT A CARRIER RENDER A FINAL DECISION ~~IN PRINT~~ IN WRITING ON A GRIEVANCE WITHIN 45 WORKING DAYS AFTER THE DATE ON WHICH THE GRIEVANCE IS FILED WHEN THE GRIEVANCE INVOLVES A RETROSPECTIVE DENIAL, AND.

~~(V) PROVIDE FOR COVERAGE OF HOSPITAL SERVICES WHENEVER THE INTERNAL GRIEVANCE PROCESS REVERSES AN ADVERSE DECISION PERTAINING TO THE SERVICES OF A HEALTH CARE PROVIDER TO A MEMBER DURING A PERIOD OF HOSPITALIZATION.~~

(3) FOR PURPOSES OF USING THE EXPEDITED PROCEDURE FOR AN EMERGENCY CASE THAT A CARRIER IS REQUIRED TO INCLUDE UNDER PARAGRAPH