

(ii) Not compensated by the private review agent in a manner that provides a financial incentive directly or indirectly to deny or reduce coverage.

(2) In the event a patient or health care provider, including a physician, intermediate care facility described under § 8-403(e) of [this article] THE HEALTH - GENERAL ARTICLE, or hospital seeks reconsideration or appeal of an adverse decision by a private review agent, the final determination of the appeal of the adverse decision shall be stated in writing and shall reference the specific criteria and standards, including interpretive guidelines, upon which the denial or reduction in coverage is based.

(g) (1) A private review agent that requires a health care provider to submit a treatment plan in order for the private review agent to conduct utilization review of proposed or delivered services for the treatment of a mental illness, emotional disorder, or a drug abuse or alcohol abuse disorder:

(i) Shall accept the uniform treatment plan form adopted by the [Secretary under § 19-1303(e)] COMMISSIONER UNDER § 15-10B-03(D) of this subtitle as a properly submitted treatment plan form; and

(ii) May not impose any requirement to:

1. Modify the uniform treatment plan form or its content; or
2. Submit additional treatment plan forms.

(2) A uniform treatment plan form submitted under the provisions of this subsection:

(i) Shall be properly completed by the health care provider; and

(ii) May be submitted by electronic transfer.

15-10B-07.

(a) Except as specifically provided in [§ 19-1305.1] § 15-10B-06 of this subtitle:

(1) ALL EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ALL adverse decisions shall be made by a physician or a panel of other appropriate health care providers with at least 1 physician on the panel.

(2) WHEN THE HEALTH CARE SERVICE UNDER REVIEW IS A DENTAL SERVICE, THE ADVERSE DECISION SHALL BE MADE BY A LICENSED DENTIST OR A PANEL OF OTHER APPROPRIATE HEALTH CARE PROVIDERS WITH AT LEAST 1 LICENSED DENTIST ON THE PANEL.

(3) (3) In the event a patient or health care provider, including a physician, intermediate care facility described in § 8-403(e) of [this article] THE HEALTH - GENERAL ARTICLE, or hospital seeks reconsideration or appeal of an adverse decision by a private review agent, the final determination of the appeal of the adverse decision shall be made based on the professional judgment of a: