

~~(d) Notwithstanding any other provision of this subtitle, a provider may not be required to obtain prior authorization or approval for payment from a health maintenance organization in order to obtain reimbursement under subsection [(a), (b), or (c)] (A) OR (B) of this section.~~

~~(e) Notwithstanding any other provision of this article, a hospital emergency facility or provider or a health maintenance organization that has reimbursed a provider may collect or attempt to collect payment from a member or subscriber for health care services provided for a medical condition that is determined not to be an emergency as defined in § 19-701(d) of this subtitle.~~

~~(F) A HEALTH MAINTENANCE ORGANIZATION'S REIMBURSEMENT POLICIES AND PATIENT TRANSFER REQUIREMENTS MAY NOT, DIRECTLY OR INDIRECTLY, REQUIRE A HOSPITAL EMERGENCY FACILITY OR PROVIDER TO VIOLATE THE FEDERAL EMERGENCY MEDICAL TREATMENT AND ACTIVE LABOR ACT.~~

~~(G) IF A MEMBER OR SUBSCRIBER OF A HEALTH MAINTENANCE ORGANIZATION IS TRANSFERRED FROM A HOSPITAL EMERGENCY FACILITY TO ANOTHER MEDICAL FACILITY, THE HEALTH MAINTENANCE ORGANIZATION SHALL REIMBURSE THE TRANSFERRING HOSPITAL EMERGENCY FACILITY AND PROVIDER, LESS ANY APPLICABLE CO-PAYMENTS, FOR SERVICES PROVIDED TO STABILIZE THE MEMBER OR SUBSCRIBER IN ACCORDANCE WITH THE FEDERAL EMERGENCY MEDICAL TREATMENT AND ACTIVE LABOR ACT.~~

~~(H) FAILURE BY A HEALTH MAINTENANCE ORGANIZATION TO COMPLY WITH SUBSECTION (F) OR (G) OF THIS SECTION OR § 19-701(D) OF THIS SUBTITLE MAY RESULT IN CIVIL MONETARY PENALTIES NOT TO EXCEED TREBLE DAMAGES.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:~~

Article — Health — General

19-729.

(a) A health maintenance organization may not:

(1) Violate any provision of this subtitle or any rule or regulation adopted under it;

(2) Fail to fulfill its obligations to provide the health care services specified in its contracts with subscribers;

(3) Make any false statement with respect to any report or statement required by this subtitle or by the Commissioner under this subtitle;

(4) Advertise, merchandise, or attempt to merchandise its services in a way that misrepresents its services or capacity for service;

(5) Engage in a deceptive, misleading, unfair, or unauthorized practice as to advertising or merchandising;