

~~(2) [Promptly] WITHIN THE SAME 1 WORKING DAY notify the attending health care provider AND THE UTILIZATION REVIEW DEPARTMENT OF THE HEALTH CARE FACILITY of the determination.~~

~~10-1312.~~

~~(a) A person who violates any provision of this subtitle or any regulation adopted under this subtitle is guilty of a misdemeanor and on conviction is subject to a penalty not exceeding [\$1,000] \$5,000. Each day a violation is continued after the first conviction is a separate offense.~~

~~(b) (1) In addition to the provisions of subsection (a) of this section, the Secretary may impose an administrative penalty of up to [\$1,000] \$5,000 for a violation of any provision of this subtitle.~~

~~(2) The Secretary shall adopt regulations to provide standards for the imposition of an administrative penalty under paragraph (1) of this subsection.~~

(a) The Insurance Commissioner, in consultation with the Maryland Hospital Association, Blue Cross and Blue Shield of Maryland, Blue Cross and Blue Shield of the National Capital Area, the Maryland Association of Health Maintenance Organizations, the League of Life and Health Insurers, the Medical-Chirurgical Faculty of Maryland, and other interested organizations representing health care providers and health insurance carriers shall study hospital utilization review, including:

(1) the availability of clear and consistent operating policies and procedures;

(2) the use of concurrent, rather than retrospective, review and the availability of personnel needed for concurrent review;

(3) payment for ancillary services, when payment is denied for hospital days;

(4) the appropriate use of industry guidelines in reviewing the unique health care service requirements of individual patients; and

(5) the cooperation of health insurance carriers and health care providers in hospital discharge planning.

(b) The Commissioner shall report the findings and recommendations of the study to the Senate Finance Committee, House Economic Matters Committee, and House Environmental Matters Committee on or before December 1, 1998.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October 1~~ July 1, 1998.

Approved May 21, 1998.