

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1127
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Tarrant” and substitute “Delegates Tarrant, Bromwell, Costa, Cullison, Donoghue, Elliott, Hammen, Hubbard, Kach, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan-Pulliam, Pena-Melnyk, Pendergrass, Reznik, and V. Turner”; and in line 5, after “practitioner” insert “or a set of health care practitioners; defining a certain term”.

AMENDMENT NO. 2

On page 2, in line 12, after “(c)” insert “**(1) IN THIS SUBSECTION, “SET OF HEALTH CARE PRACTITIONERS” MEANS:**

(I) A GROUP PRACTICE;

(II) A CLINICALLY INTEGRATED ORGANIZATION ESTABLISHED IN ACCORDANCE WITH SUBTITLE 19 OF THIS TITLE; OR

(III) AN ACCOUNTABLE CARE ORGANIZATION ESTABLISHED IN ACCORDANCE WITH 42 U.S.C. § 1899 AND ANY APPLICABLE FEDERAL REGULATIONS.

(2);

in line 13, after “practitioner” insert “**OR A SET OF HEALTH CARE PRACTITIONERS**”;
in line 15, strike “(1)” and substitute “**(I) DOES NOT CREATE A DISINCENTIVE TO**

(Over)

THE PROVISION OF MEDICALLY APPROPRIATE OR MEDICALLY NECESSARY HEALTH CARE SERVICES; AND

(II) IF THE CARRIER IS A HEALTH MAINTENANCE ORGANIZATION,”;

in line 16, strike the semicolon and substitute a period; strike in their entirety lines 17 through 28, inclusive, and substitute:

“(3) A BONUS OR OTHER INCENTIVE-BASED COMPENSATION UNDER THIS SUBSECTION:

(I) IF APPLICABLE, SHALL PROMOTE THE PROVISION OF PREVENTIVE HEALTH CARE SERVICES; OR

(II) MAY REWARD A HEALTH CARE PRACTITIONER OR A SET OF HEALTH CARE PRACTITIONERS, BASED ON SATISFACTION OF PERFORMANCE MEASURES, IF THE FOLLOWING IS AGREED ON IN WRITING BY THE CARRIER AND THE HEALTH CARE PRACTITIONER OR SET OF HEALTH CARE PRACTITIONERS:

1. THE PERFORMANCE MEASURES;
2. THE METHOD FOR CALCULATING WHETHER THE PERFORMANCE MEASURES HAVE BEEN SATISFIED; AND
3. THE METHOD BY WHICH THE HEALTH CARE PRACTITIONER OR SET OF HEALTH CARE PRACTITIONERS MAY REQUEST RECONSIDERATION OF THE CALCULATIONS BY THE CARRIER.

(4) ACCEPTANCE OF A BONUS OR OTHER INCENTIVE-BASED COMPENSATION UNDER THIS SUBSECTION SHALL BE VOLUNTARY.

(5) A CARRIER MAY NOT REQUIRE A HEALTH CARE PRACTITIONER OR A SET OF HEALTH CARE PRACTITIONERS TO PARTICIPATE IN THE CARRIER'S BONUS OR INCENTIVE-BASED COMPENSATION PROGRAM AS A CONDITION OF PARTICIPATION IN THE CARRIER'S PROVIDER NETWORK.

(6) A HEALTH CARE PRACTITIONER, A SET OF HEALTH CARE PRACTITIONERS, A HEALTH CARE PRACTITIONER'S DESIGNEE, OR A DESIGNEE OF A SET OF HEALTH CARE PRACTITIONERS MAY FILE A COMPLAINT WITH THE ADMINISTRATION REGARDING A VIOLATION OF THIS SUBSECTION."