HOUSE BILL 1484

K1 7 lr 2598CF SB 194 By: Delegates Glenn and W. Miller Introduced and read first time: February 10, 2017 Assigned to: Economic Matters Committee Report: Favorable with amendments House action: Adopted Read second time: March 10, 2017 CHAPTER AN ACT concerning Workers' Compensation - Medical Benefits - Payment of Medical Services and Treatment FOR the purpose of requiring a provider to submit to an employer or an employer's insurer, within a certain period of time, a certain bill and documentation for certain medical services or treatment provided to a covered employee under a certain provision of law; prohibiting the employer or the employer's insurer from being required to pay a certain bill except under certain circumstances; and generally relating to the payment for medical services and treatment provided under the workers' compensation law. BY repealing and reenacting, with amendments, Article – Labor and Employment Section 9-660 Annotated Code of Maryland (2016 Replacement Volume) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND. That the Laws of Maryland read as follows: Article - Labor and Employment 9-660.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

1

2

3

4 5

6

7

8 9

10

11

12

13

14

15

16

17

18

19

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



31

COMMISSION TO BE COMPENSABLE.

1 2 3 4	(a) In addition to the compensation provided under this subtitle, if a covered employee has suffered an accidental personal injury, compensable hernia, or occupational disease the employer or its insurer promptly shall provide to the covered employee, as the Commission may require:		
5		(1) mee	dical, surgical, or other attendance or treatment;
6		(2) hos	pital and nursing services;
7		(3) med	dicine;
8		(4) cru	tches and other apparatus; and
9		(5) arti	ficial arms, feet, hands, and legs and other prosthetic appliances.
10 11 12	(b) The employer or its insurer shall provide the medical services and treatment required under subsection (a) of this section for the period required by the nature of the accidental personal injury, compensable hernia, or occupational disease.		
13 14	(c) Except as provided in § 9–736(b) and (c) of this title, any award or order of the Commission under this section may not be construed to:		
15		(1) reo	pen any case; or
16		(2) allo	w any previous award to be changed.
17 18 19 20 21	(D) (1) WITHIN 45 DAYS AFTER THE DATE MEDICAL SERVICE OF TREATMENT IS PROVIDED TO A COVERED EMPLOYEE UNDER SUBSECTION (A) OF THIS SECTION, A PROVIDER SHALL SUBMIT TO THE EMPLOYER OR THE EMPLOYER'S INSURER A BILL FOR AND DOCUMENTATION SUMMARIZING THE SERVICES OF TREATMENT PROVIDED.		
22			PROVIDER WHO PROVIDES MEDICAL SERVICE OR TREATMENT
23			OYEE UNDER SUBSECTION (A) OF THIS SECTION SHALL SUBMIT
24	TO THE EMPLOYER OR THE EMPLOYER'S INSURER A BILL FOR PROVIDING MEDICAL		
25	SERVICE OF	R TREATM	ENT WITHIN 12 MONTHS FROM THE LATER OF THE DATE:
26 27	COVERED E	<u>(I)</u> MPLOYEE	MEDICAL SERVICE OR TREATMENT WAS PROVIDED TO A
28 29	EMPLOYER	(II) OR THE E	THE CLAIM FOR COMPENSATION WAS ACCEPTED BY THE MPLOYER'S INSURER; OR
30		(III	THE CLAIM FOR COMPENSATION WAS DETERMINED BY THE

1 2 3	(2) THE EMPLOYER OR THE EMPLOYER'S INSURER MAY NOT BE REQUIRED TO PAY A BILL SUBMITTED AFTER THE 45-DAY THE TIME PERIOD REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION UNLESS:
4 5	(I) THE PROVIDER FILES AN APPLICATION FOR PAYMENT WITH THE COMMISSION WITHIN 3 YEARS FROM THE LATER OF THE DATE:
6 7	1. THE MEDICAL SERVICE OR TREATMENT IS WAS PROVIDED TO THE COVERED EMPLOYEE;
8 9	2. THE CLAIM FOR COMPENSATION WAS ACCEPTED BY THE EMPLOYER OR THE EMPLOYER'S INSURER; OR
10 11	3. THE CLAIM FOR COMPENSATION WAS DETERMINED BY THE COMMISSION TO BE COMPENSABLE; AND
12 13	(II) THE COMMISSION EXCUSES THE UNTIMELY SUBMISSION FOR GOOD CAUSE.
14 15	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.
	Approved:
	Governor.
	Speaker of the House of Delegates.
	President of the Senate.