

Article - Health - General

15-103.

(b) (12) (i) Each managed care organization shall notify each enrollee when the enrollee should obtain an immunization, examination, or other wellness service.

(ii) Each managed care organization shall:

1. Maintain evidence of compliance with paragraph (9) of this subsection; and

2. Provide to the Department, upon initial application to provide health care services to enrollees and on an annual basis thereafter, evidence of compliance with paragraph (9) of this subsection, including submission of a written plan.

(iii) A managed care organization that does not comply with subparagraph (i) of this paragraph for at least 90% of its new enrollees:

1. Within 90 days of their enrollment may not receive more than 80% of its capitation payments;

2. Within 180 days of their enrollment may not receive more than 70% of its capitation payments; and

3. Within 270 days of their enrollment may not receive more than 50% of its capitation payments.

(iv) If a managed care organization does not comply with the requirements of paragraph (9) of this subsection, the Department may contract with any community-based health organization that the Department determines is willing and able to perform comprehensive outreach services to enrollees.

(v) In addition to the provisions of subparagraph (iv) of this paragraph, if a managed care organization does not comply with the requirements of paragraph (9) of this subsection or fails to provide evidence of compliance to the Department under subparagraph (ii) of this paragraph, the Department may:

1. Impose a fine on the managed care organization WHICH SHALL BE DEPOSITED IN THE HEALTHCHOICE PERFORMANCE INCENTIVE FUND ESTABLISHED UNDER § 15-103.3 OF THIS SUBTITLE;

2. Suspend further enrollment into the managed care organization;

3. Withhold all or part of the capitation rate from the managed care organization;

4. Terminate the provider agreement; or

5. Disqualify the managed care organization from future participation in the Maryland Medicaid Managed Care Program.