

review agent of the emergency admission within 24 hours or other prescribed period of time after that admission if the patient's medical condition prevented the hospital from determining:

(1) the patient's insurance status; and

(2) if applicable, the private review agent's emergency admission notification requirements.

(d) A private review agent may not render an adverse decision as to an admission of a patient during the first 24 hours after admission when:

(1) the admission is based on a determination that the patient is in imminent danger to self or others;

(2) the determination has been made by the patient's physician or psychologist in conjunction with a member of the medical staff of the facility who has privileges to make the admission; and

(3) the hospital immediately notifies the private review agent of:

(i) the admission of the patient; and

(ii) the reasons for the admission.

(e) (1) A private review agent that requires a health care provider to submit a treatment plan in order for the private review agent to conduct utilization review of proposed or delivered services for the treatment of a mental illness, emotional disorder, or a substance abuse disorder:

(i) shall accept:

1. the uniform treatment plan form adopted by the Commissioner under § 15-10B-03(d) of this subtitle as a properly submitted treatment plan form; OR

2. IF A SERVICE WAS PROVIDED IN ANOTHER STATE, A TREATMENT PLAN FORM MANDATED BY THE STATE IN WHICH THE SERVICE WAS PROVIDED; and

(ii) may not impose any requirement to:

1. modify the uniform treatment plan form or its content; or

2. submit additional treatment plan forms.

(2) A uniform treatment plan form submitted under the provisions of this subsection:

(i) shall be properly completed by the health care provider; and

(ii) may be submitted by electronic transfer.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2006.