

SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1461 be amended to read as follows:

- 1 Page 1, between lines 4 and 5, begin a new paragraph and insert:
- 2 **"Sec. 1. As used in this chapter, "emergency" means a medical**
- 3 **condition that arises suddenly and unexpectedly and manifests**
- 4 **itself by acute symptoms of such severity, including severe pain,**
- 5 **that the absence of immediate medical attention could reasonably**
- 6 **be expected by a prudent lay person who possesses an average**
- 7 **knowledge of health and medicine to:**
- 8 **(1) place an individual's health in serious jeopardy;**
- 9 **(2) result in serious impairment to the individual's bodily**
- 10 **functions; or**
- 11 **(3) result in serious dysfunction of a bodily organ or part of**
- 12 **the individual."**
- 13 Page 1, line 5, delete "1." and insert "2."
- 14 Page 1, line 9, after "." insert "**The term includes a limited service**
- 15 **health maintenance organization."**
- 16 Page 1, line 15, delete "2." and insert "3."
- 17 Page 2, line 11, delete "3." and insert "4."
- 18 Page 2, line 17, delete "4." and insert "5."
- 19 Page 2, line 20, delete "5." and insert "6."
- 20 Page 2, line 20, delete "A" and insert "**(a) Except as provided in**
- 21 **subsection (b), a"**.
- 22 Page 2, between lines 24 and 25, begin a new paragraph and insert:
- 23 **"(b) A person may require a provider, as a condition of entering**
- 24 **into a health provider contract for the provision of health care**
- 25 **services other than health care services to enrollees of a health**
- 26 **maintenance organization, to provide health care services to**
- 27 **enrollees of a health maintenance organization:**
- 28 **(1) in an emergency; or**
- 29 **(2) upon referral.**
- 30 **(c) If a person requires a provider to provide health care**
- 31 **services to enrollees of a health maintenance organization under**

- 1 **subsection (b), the person:**
- 2 **(1) shall reimburse the provider at rates established under the**
- 3 **health provider contract; and**
- 4 **(2) may not require the provider to comply with the terms and**
- 5 **conditions of the health maintenance organization.".**
(Reference is to EHB 1461 as printed March 23, 2001.)

Senator LAWSON C