

MARTIN O'MALLEY  
Governor

ANTHONY G. BROWN  
Lt. Governor



THERESE M. GOLDSMITH  
Commissioner

KAREN STAKEM HORNIG  
Deputy Commissioner

200 St. Paul Place, Suite 2700, Baltimore, Maryland 21202  
1-800-492-6116 TTY: 1-800-735-2258  
www.mdinsurance.state.md.us

### **BULLETIN 12-03**

Date: March 14, 2012

To: Insurers, Nonprofit Health Service Plans, Health Maintenance Organizations and Dental Plan Organizations ("Carriers")

Re: Filing Requirements for Internal Grievance Processes

The purpose of this bulletin is to remind carriers of changes to the internal grievance process filing requirements that were put in place by Chapter 4, Acts of the General Assembly of 2011, which went into effect July 1, 2011. Specifically, Insurance Article, §15-10A-02, Annotated Code of Maryland was amended to repeal the annual filing of the carrier's internal grievance process with the Commissioner. Instead, the filing requirement was amended to require the carrier to file any revision to a carrier's internal grievance process with the Commissioner and the Health Advocacy Unit at least 30 days before its intended use.

Chapter 4 of the Acts of 2011 also made a number of changes to §15-10A-02 of the Insurance Article, which would require a change to each carrier's internal grievance process. The changes include:

- Giving the *member's representative* the right to file a grievance with the carrier and receive notice of the carrier's grievance decision, even if the member's representative is not a physician;
- Changing certain information in required notices regarding the time limit to file a complaint with the Commissioner (increased from 30 working days to 4 months) and who can file the complaint with the Commissioner (*member's representative* permitted to file a complaint);
- Amending the carrier's grievance notice to state that the Health Advocacy Unit is available to assist the member or member's representative to file a complaint with the Commissioner and to provide the address, telephone number, facsimile number and electronic mail address of the Health Advocacy Unit.

Any revisions to the carrier's internal grievance process, including those listed above, are required to be filed with the Life and Health Section of the Maryland Insurance Administration.

Questions about this bulletin may be directed to the Life/Health Section of the Maryland Insurance Administration at 410-468-2170.

*Signature on original document*

---

Brenda A. Wilson  
Associate Commissioner  
Life and Health Section