

**§2694-A. Physician performance measurement, reporting and tiering programs**

**1. Performance measurement, reporting and tiering programs.** An insurer delivering or issuing for delivery within the State any individual health insurance policy or group health insurance policy or certificate shall annually file with the superintendent on or before October 1, 2010 and annually by October 1st in subsequent years a full and true statement of its criteria, standards, practices, procedures and programs that measure or tier health care provider performance with respect to quality, cost or cost-efficiency. The statement must be on a form prepared by the superintendent and may be supplemented by additional information required by the superintendent. The statement must be verified by the oath of the insurer's president or vice-president, and secretary or chief medical officer. A filing and supporting information are public records notwithstanding Title 1, section 402, subsection 3, paragraph B.

[PL 2013, c. 383, §2 (AMD).]

**2. Duties.** The superintendent shall review the statements, if any, assemble the statements in one table using a side-by-side comparison format and provide an analysis identifying the commonalities and differences of the statements. Notwithstanding any provision of law to the contrary, the superintendent shall adopt by rule a program and performance measures designed to:

A. Ensure transparency and fairness and promote the continued strengthening of measurement programs to meet patients' needs; [PL 2009, c. 350, Pt. B, §1 (NEW).]

B. Promote the consistency, efficiency and fairness of physician performance measurement; and [PL 2009, c. 350, Pt. B, §1 (NEW).]

C. Promote an appropriate balance between innovation and standardization. [PL 2009, c. 350, Pt. B, §1 (NEW).]

[PL 2009, c. 350, Pt. B, §1 (NEW).]

**3. Advisory panel.**

[PL 2011, c. 90, Pt. J, §20 (RP).]

**4. Rulemaking.** The superintendent may adopt rules to implement this section. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2009, c. 350, Pt. B, §1 (NEW).]

**SECTION HISTORY**

PL 2009, c. 350, Pt. B, §1 (NEW). PL 2011, c. 90, Pt. J, §20 (AMD). PL 2013, c. 383, §2 (AMD).

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