

(iii) 2. [reference] REFERENCES the specific criteria and standards, including interpretive guidelines, on which the [adverse decision or] grievance decision was based;

(iii) 3. [state] STATES the name, business address, and business telephone number of:

1. A. the medical director or associate medical director, as appropriate, who made the [adverse decision or] grievance decision if the carrier is a health maintenance organization; or

2. B. the designated employee or representative of the carrier who has responsibility for the carrier's internal grievance process if the carrier is not a health maintenance organization; and

(iv) 4. [include] INCLUDES the following information:

1. A. that the member has a right to file a complaint with the Commissioner within 30 days after receipt of a carrier's grievance decision; AND

2. ~~that a complaint may be filed without first filing a grievance if the member or a health care provider filing a grievance on behalf of the member can demonstrate a compelling reason to do so; and~~

3. B. the Commissioner's address, telephone number, and facsimile number.

[(3)] (2) A carrier may not use solely in a notice sent under paragraph (1) of this subsection generalized terms such as "experimental procedure not covered", "cosmetic procedure not covered", "service included under another procedure", or "not medically necessary" to satisfy the requirements of [paragraph (2)(i) or (ii) of] this subsection.

(j) (1) For an emergency case under subsection (b)(2)(i) of this section, within 1 day after a decision has been orally communicated to the member or health care provider, the carrier shall send notice in writing of any adverse decision or grievance decision to:

(i) the member; and

(ii) if the grievance was filed on behalf of the member under subsection (b)(2)(iii) of this section, the health care provider.

(2) [The] A notice REQUIRED TO BE SENT UNDER PARAGRAPH (1) OF THIS SUBSECTION shall include the [information required under subsection (i)(2) of this section] FOLLOWING:

(I) FOR AN ADVERSE DECISION, THE INFORMATION REQUIRED UNDER SUBSECTION (F) OF THIS SECTION; AND

(II) FOR A GRIEVANCE DECISION, THE INFORMATION REQUIRED UNDER SUBSECTION (I) OF THIS SECTION.