

~~6.5-305.~~

~~(a) The Secretary of the Department may revoke or suspend a license to operate a hospital in accordance with § 19-327 of the Health General Article if an acquisition occurs without the approval of the Attorney General.~~

~~(b) An acquisition of a [nonprofit health service plan or a] nonprofit health maintenance organization may not occur without the approval of the Administration.~~

~~(c) A nonprofit health service plan or a nonprofit health maintenance organization may not be operated for profit.~~

~~(d) If the Commissioner determines that a [nonprofit health service plan or a] nonprofit health maintenance organization is in violation of subsection (b) or (c) of this section, the Commissioner may, in addition to any other remedies authorized by law, require the following:~~

~~(1) the divestiture of the acquisition;~~

~~(2) that the entity fully comply with this title; OR~~

~~(3) that the entity file a plan for conversion to a for-profit entity as required under this title[;].~~

~~(E) IF THE COMMISSIONER DETERMINES THAT A NONPROFIT HEALTH SERVICE PLAN OR A NONPROFIT HEALTH MAINTENANCE ORGANIZATION IS IN VIOLATION OF SUBSECTION (B) OR (C) OF THIS SECTION, THE COMMISSIONER MAY, IN ADDITION TO ANY OTHER REMEDIES AUTHORIZED BY LAW, REQUIRE THE FOLLOWING:~~

~~[(4)] (1) that the certificate of authority of the entity to operate as a nonprofit health service plan or a nonprofit health maintenance organization in this State be revoked or suspended; or~~

~~[(5)] (2) the payment of a penalty as provided for in § 4-113(d)(1) of the Insurance Article for each violation of subsection (b) or (c) of this section.~~

Article - Insurance

14-116.

(D) A NONPROFIT HEALTH SERVICE PLAN FORMED OR ORGANIZED UNDER THE LAWS OF THIS STATE MAY NOT:

(1) FORM OR ORGANIZE UNDER THE LAWS OF ANOTHER JURISDICTION UNLESS THE COMMISSIONER DETERMINES THAT IT IS IN THE PUBLIC INTEREST; OR

(2) ALTER ITS STRUCTURE, OPERATIONS, OR AFFILIATIONS, IF SUCH ALTERATION RESULTS IN THE FOR-PROFIT ACTIVITIES OF THE PLAN BECOMING SO SUBSTANTIAL THAT THE INSURANCE COMMISSIONER DETERMINES THAT THE PURPOSE OF THE NONPROFIT HEALTH SERVICE PLAN MAY NO LONGER BE CHARACTERIZED AS OPERATING A NONPROFIT HEALTH SERVICE PLAN.