

(E) THE COMMISSIONER MAY REVOKE A CERTIFICATE OF AUTHORITY ISSUED TO A FOREIGN CORPORATION SUBJECT TO THIS SUBTITLE IF:

(1) THE FOREIGN CORPORATION OPERATES A NONPROFIT HEALTH SERVICE PLAN THAT IS AFFILIATED WITH A NONPROFIT HEALTH SERVICE PLAN FORMED OR ORGANIZED UNDER THE LAWS OF THIS STATE; AND

(2) THE AFFILIATION BETWEEN THE FOREIGN NONPROFIT HEALTH SERVICE PLAN AND THE NONPROFIT HEALTH SERVICE PLAN FORMED OR ORGANIZED UNDER THE LAWS OF THIS STATE IS TERMINATED.

14-139.

(a) An officer, director, or employee of a corporation operating under this subtitle may not:

(1) willfully violate a provision of this article or a regulation adopted under this article;

(2) willfully misrepresent or conceal a material fact in a statement, report, record, or communication submitted to the Commissioner;

(3) willfully misrepresent a material fact to the board of directors;

(4) misappropriate or fail to account properly for money that belongs to the corporation, an insurer, insurance producer, subscriber, or certificate holder;

(5) engage in fraudulent or dishonest practices in connection with the provision or administration of a health service plan;

(6) willfully fail to produce records or allow an examination under § 14-125 of this subtitle; or

(7) willfully fail to comply with a lawful order of the Commissioner.

(B) AN OFFICER, DIRECTOR, OR TRUSTEE OF A CORPORATION OPERATING UNDER THIS SUBTITLE MAY NOT RECEIVE ANY IMMEDIATE OR FUTURE REMUNERATION AS THE RESULT OF AN ACQUISITION OR PROPOSED ACQUISITION, AS DEFINED UNDER § 6.5-101 OF THE STATE GOVERNMENT ARTICLE, EXCEPT IN THE FORM OF COMPENSATION PAID FOR CONTINUED EMPLOYMENT WITH THE COMPANY OR ACQUIRING ENTITY.

[(b)] (C) (1) A person that violates subsection (a) of this section is subject to a civil penalty not exceeding \$5,000 for each violation.

(2) Instead of or in addition to imposing a civil penalty, the Commissioner may require the violator to make restitution to any person that has suffered financial injury as a result of the violation.

[(c)] (D) In determining the amount of financial penalty to be imposed, the Commissioner shall consider:

(1) the seriousness of the violation;