

(2) TO THE EXTENT THAT THE LEGISLATIVELY ENACTED CHARTER OF AN ENTITY SUBJECT TO THIS SECTION, OR THE LAWS OR ADMINISTRATIVE RULES OR REGULATIONS OF THE JURISDICTION OF DOMICILE OF AN ENTITY SUBJECT TO THIS SECTION, PROHIBIT THE ENTITY FROM COMPLYING WITH A REQUIREMENT OF SUBSECTION (C) OF THIS SECTION, THE LEGISLATIVELY ENACTED CHARTER, LAWS, AND ADMINISTRATIVE RULES AND REGULATIONS OF THE JURISDICTION OF DOMICILE SHALL SUPERCEDE AND TAKE PRECEDENCE OVER THE REQUIREMENT OF SUBSECTION (C) OF THIS SECTION.

14-110.

(a) The Commissioner shall issue a certificate of authority to an applicant if:

(1) the applicant has paid the applicable fee required by § 2-112 of this article; and

(2) the Commissioner is satisfied:

(i) that the applicant has been organized in good faith for the purpose of establishing, maintaining, and operating a nonprofit health service plan that:

1. is committed to a nonprofit corporate structure;

2. in accordance with the charter of the nonprofit health service plan, seeks to provide affordable and accessible health insurance; and

3. IN ACCORDANCE WITH THE CHARTER OF THE NONPROFIT HEALTH SERVICE PLAN, recognizes a responsibility to contribute to the improvement of the overall health status of [Maryland residents] THE RESIDENTS OF THE JURISDICTIONS IN WHICH IT OPERATES;

(ii) that:

1. each contract executed or proposed to be executed by the applicant and a health care provider to furnish health care services to subscribers to the nonprofit health service plan, obligates or, when executed, will obligate each health care provider party to the contract to render the health care services to which each subscriber is entitled under the terms and conditions of the various contracts issued or proposed to be issued by the applicant to subscribers to the plan; and

2. each subscriber is entitled to reimbursement for podiatric, chiropractic, psychological, or optometric services, regardless of whether the service is performed by a licensed physician, licensed podiatrist, licensed chiropractor, licensed psychologist, or licensed optometrist;

(iii) that:

1. each contract issued or proposed to be issued to subscribers to the plan is in a form approved by the Commissioner; and

2. the rates charged or proposed to be charged for each form of each contract are fair and reasonable;