652.

(A) IF A PREFERRED PROVIDER INSURANCE POLICY OFFERED BY AN INSURER PROVIDES BENEFITS FOR ANY SERVICE THAT IS WITHIN THE LAWFUL SCOPE OF PRACTICE OF A HEALTH CARE PROVIDER LICENSED UNDER THE HEALTH OCCUPATIONS ARTICLE, ANY INSURED COVERED BY THE PREFERRED PROVIDER INSURANCE POLICY SHALL BE ENTITLED TO RECEIVE THE BENEFITS FOR THAT SERVICE EITHER THROUGH DIRECT PAYMENTS TO THE PROVIDER OR TO REIMBURSEMENT TO THE INSURED.

(B) (1) A PREFERRED PROVIDER INSURANCE POLICY OFFERED BY AN INSURER UNDER THIS SUBTITLE SHALL PROVIDE FOR PAYMENT OF SERVICES RENDERED BY NONPREFERRED PROVIDERS AS PROVIDED UNDER THIS SECTION.

(2) UNLESS THE INSURER DEMONSTRATES TO THE SATISFACTION OF THE INSURANCE COMMISSIONER THAT AN ALTERNATIVE LEVEL OF PAYMENT IS MORE APPROPRIATE UNDER THE CIRCUMSTANCES, ~~PAYMENTS~~ AGGREGATE PAYMENTS IN ANY FULL CALENDAR YEAR MADE UNDER THIS PARAGRAPH TO NONPREFERRED PROVIDERS AFTER ALL DEDUCTIBLE AND COPAYMENT PROVISIONS HAVE BEEN APPLIED MAY NOT ON THE AVERAGE BE LESS THAN 80 PERCENT OF THE ~~CORRESPONDING PAYMENTS~~ AGGREGATE PAYMENTS IN THAT FULL CALENDAR YEAR TO PREFERRED PROVIDERS FOR SIMILAR SERVICES IN THE SAME GEOGRAPHIC AREA PURSUANT TO THE PROVIDERS' AGREEMENTS TO PROVIDE THE SERVICES UNDER THEIR PROVIDER SERVICE AGREEMENTS.

(C) IF THE RATES FOR EACH INSTITUTIONAL PROVIDER UNDER A PREFERRED PROVIDER INSURANCE POLICY OFFERED BY AN INSURER VARY BASED UPON INDIVIDUAL NEGOTIATIONS, GEOGRAPHIC DIFFERENCES, OR MARKET CONDITIONS AND ARE APPROVED BY THE HEALTH SERVICES COST REVIEW COMMISSION, THE RATES MAY NOT BE DEEMED TO CONSTITUTE UNFAIR DISCRIMINATION UNDER THIS ARTICLE.

653.

(A) EACH INSURER AND EACH EMPLOYER, ADMINISTRATOR, OR OTHER ENTITY THAT ISSUES, DELIVERS, ADMINISTERS, OR OFFERS ANY PREFERRED PROVIDER INSURANCE POLICY OR OTHER NONINSURANCE PREFERRED PROVIDER ARRANGEMENT IN THIS STATE SHALL, UPON REQUEST OF THE COMMISSIONER, FILE WITH THE COMMISSIONER A WRITTEN SUMMARY DESCRIPTION AND A PROTOTYPE COPY OF:

(1) THE PREFERRED PROVIDER INSURANCE POLICY;

(2) ALL ATTENDANT PROVIDER SERVICE CONTRACTS;