

REGULATIONS, AS THEY MAY APPLY TO ANY HEALTH MAINTENANCE ORGANIZATION OR A FACET THEREOF.

(2) UNDER THIS SUBTITLE, ONLY THE COMMISSIONER MAY ISSUE, SUSPEND, OR REVOKE A CERTIFICATE OF AUTHORITY OF A HEALTH MAINTENANCE ORGANIZATION.

(3) UNDER THE JOINT INTERNAL ADMINISTRATIVE RULES AND PROCEDURES, MEANS OF PROVIDING TIMELY COMMUNICATION SHALL BE ESTABLISHED AND MAINTAINED BETWEEN THE COMMISSIONER AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE ON MATTERS AFFECTING ANY HEALTH MAINTENANCE ORGANIZATION, INCLUDING IMPORTANT ACTIONS, CHANGES OR REARRANGEMENTS A HEALTH MAINTENANCE ORGANIZATION MAY UNDERTAKE OR ANY REGULATORY PROBLEMS THAT MAY AFFECT ANY FUNCTION OR FACET OF THE ORGANIZATION.

(4) REGULATORY OR ADMINISTRATIVE ACTIONS UNDER THE JURISDICTION OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE CONCERNING A FUNCTION OR FACET OF A HEALTH MAINTENANCE ORGANIZATION'S OPERATION, IN THE ABSENCE OF THE ORGANIZATION'S ABILITY TO MAKE CORRECTIVE CHANGES OR NEW ARRANGEMENTS SATISFACTORY TO THE DEPARTMENT, WHICH ENTAIL A WRITTEN DIRECTIVE SETTING FORTH SUBSTANTIATED REASONS AND RECOMMENDATIONS TO THE COMMISSIONER SHALL REQUIRE THE COMMISSIONER TO ISSUE APPROPRIATE ORDERS ACCORDINGLY, INCLUDING THE SUSPENSION OR REVOCATION OF THE ORGANIZATION'S CERTIFICATE OF AUTHORITY[.] .
[[SHALL]] [[OBLIGE THE COMMISSIONER TO ISSUE APPROPRIATE ORDERS ACCORDINGLY, INCLUDING THE SUSPENSION OR REVOCATION OF THE ORGANIZATION'S CERTIFICATE OF AUTHORITY.]] [[THE COMMISSIONER SHALL BE REQUIRED TO TAKE THE ACTION ORDERED BY THE SECRETARY OF HEALTH AND MENTAL HYGIENE, INCLUDING THE SUSPENSION OR REVOCATION OF THE ORGANIZATION'S CERTIFICATE OF AUTHORITY.]]

(5) FOR EACH HEALTH MAINTENANCE ORGANIZATION, ALL ULTIMATE ACTUARIAL AND FINANCIAL EVALUATIONS AND DETERMINATIONS REPOSE WITH THE STATE INSURANCE COMMISSIONER. FOR THE PROTECTION OF THE PUBLIC AND OF THE ORGANIZATION'S SUBSCRIBERS AND MEMBERS, THE COMMISSIONER HAS THE RESPONSIBILITY OF DETERMINING THAT THE HEALTH MAINTENANCE ORGANIZATION IS OR WILL BE IN POSITION TO PROVIDE A FISCALLY SOUND OPERATION AND ADEQUATE PROVISION AGAINST THE RISK OF INSOLVENCY.

850.

(A) UPON SATISFACTORY EVIDENCE THAT ANY HEALTH MAINTENANCE ORGANIZATION HAS: (1) VIOLATED ANY PROVISION OF THIS SUBTITLE OR ANY RULE OR REGULATION PROMULGATED HEREUNDER; (2) FAILED TO FULFILL ITS OBLIGATIONS TO FURNISH THE HEALTH CARE SERVICES SPECIFIED IN ITS CONTRACTS WITH SUBSCRIBERS; (3) MADE ANY FALSE