

STATEMENT WITH RESPECT TO ANY REPORT OR STATEMENT REQUIRED BY THIS SUBTITLE OR BY THE COMMISSIONER UNDER THIS SUBTITLE; (4) ADVERTISED OR MERCHANDISED, OR ATTEMPTED TO MERCHANDISE, ITS SERVICES IN SUCH A MANNER AS TO MISREPRESENT ITS SERVICES OR CAPACITY FOR SERVICE, OR HAS ENGAGED IN DECEPTIVE, MISLEADING, UNFAIR, OR UNAUTHORIZED PRACTICES WITH RESPECT TO ADVERTISING OR MERCHANDISING; (5) PREVENTED THE COMMISSIONER AND/OR THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE IN ACCORDANCE WITH JOINT INTERNAL ADMINISTRATIVE RULES AND PROCEDURES FROM THE PERFORMANCE OF ANY DUTY IMPOSED BY THIS SUBTITLE; OR (6) FRAUDULENTLY PROCURED OR FRAUDULENTLY ATTEMPTED TO PROCURE ANY BENEFIT UNDER THIS SUBTITLE, THE COMMISSIONER MAY PURSUE ANY ONE OR MORE OF THE FOLLOWING COURSES OF ACTION:

(I) SUSPEND OR REVOKE THE CERTIFICATE OF AUTHORITY TO DO BUSINESS AS A HEALTH MAINTENANCE ORGANIZATION; OR

(II) IMPOSE A PENALTY OF NOT MORE THAN \$1,000 FOR EACH AND EVERY UNLAWFUL ACT COMMITTED; OR

(III) ISSUE AN ADMINISTRATIVE ORDER REQUIRING THE HEALTH MAINTENANCE ORGANIZATION:

(A) TO CEASE INAPPROPRIATE CONDUCT OR PRACTICES BY IT OR ANY OF THE PERSONNEL EMPLOYED OR ASSOCIATED WITH IT; OR

(B) TO FULFILL ITS CONTRACTUAL OBLIGATIONS; OR

(C) TO PROVIDE A SERVICE WHICH HAS BEEN IMPROPERLY DENIED; OR

(D) TO TAKE APPROPRIATE STEPS TO RESTORE ITS ABILITY TO SUPPLY A SERVICE WHICH IS PROVIDED UNDER A CONTRACT; OR

(IV) APPLY TO ANY COURT FOR LEGAL OR EQUITABLE RELIEF DEEMED APPROPRIATE BY THE COMMISSIONER AND/OR THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE IN ACCORDANCE WITH JOINT INTERNAL ADMINISTRATIVE RULES AND PROCEDURES.

(B) (1) BEFORE ANY ACTION UNDER THIS SECTION OR UNDER SECTION 849(B) (4) OF THIS SUBTITLE IS TAKEN BY THE COMMISSIONER AND/OR THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, WRITTEN NOTICE SHALL BE GIVEN TO THE ORGANIZATION, ITS AGENT OR OFFICER THEREOF ACCUSED OF VIOLATING THE LAW, STATING SPECIFICALLY THE NATURE OF THE ALLEGED VIOLATION AND FIXING A TIME AND PLACE, AT LEAST TEN DAYS THEREAFTER, WHEN A HEARING OF THE MATTER WILL BE