

(II) ANY OTHER WORDS GENERALLY REGARDED AS DESCRIPTIVE OF THE INSURANCE INDUSTRY.

(2) THIS SUBSECTION DOES NOT APPLY TO AN INSURER OR HEALTH SERVICE CORPORATION THAT IS LICENSED AND REGULATED UNDER THE LAWS OF THIS STATE, EXCEPT AS TO ITS HEALTH MAINTENANCE ORGANIZATION ACTIVITIES THAT ARE AUTHORIZED AND REGULATED UNDER THIS SUBTITLE.

(B) HEALTH MAINTENANCE ORGANIZATION.

EXCEPT AS AUTHORIZED BY THE COMMISSIONER UNDER THIS SUBTITLE, A PERSON OTHER THAN A HEALTH MAINTENANCE ORGANIZATION REGULATED UNDER THIS SUBTITLE MAY NOT DESIGNATE ITS SERVICES, OPERATIONS, OR FUNCTIONS AS A "HEALTH MAINTENANCE ORGANIZATION" OR USE ANY OTHER TITLE OR DESIGNATION IF THE ARRANGEMENT OF SERVICES, OPERATIONS, OR FUNCTIONS SUBSTANTIALLY FALL UNDER THE DEFINITION OF A HEALTH MAINTENANCE ORGANIZATION IN § 19-701 OF THIS SUBTITLE.

REVISOR'S NOTE: This section formerly appeared as Article 43, § 853.

The only changes are in style.

Defined terms: "Commissioner" § 19-701  
"Health maintenance organization" § 19-701  
"Person" § 1-101

19-727. APPLICABILITY OF TAX LAWS.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A HEALTH MAINTENANCE ORGANIZATION IS NOT EXEMPTED FROM ANY STATE, COUNTY, OR LOCAL TAXES SOLELY BECAUSE OF THIS SUBTITLE.

(B) TAX ON PREMIUMS.

(1) EACH HEALTH MAINTENANCE ORGANIZATION THAT IS AUTHORIZED TO OPERATE UNDER THIS SUBTITLE IS EXEMPTED FROM PAYING THE PREMIUM TAX IMPOSED UNDER ARTICLE 81, § 136 OF THE CODE.

(2) PREMIUMS RECEIVED BY AN INSURER UNDER POLICIES THAT PROVIDE HEALTH MAINTENANCE ORGANIZATION BENEFITS ARE NOT SUBJECT TO THE PREMIUM TAX IMPOSED UNDER ARTICLE 81, § 136 OF THE CODE TO THE EXTENT:

(1) OF THE AMOUNTS ACTUALLY PAID BY THE INSURER TO A NONPROFIT HEALTH MAINTENANCE ORGANIZATION THAT OPERATES ONLY AS A HEALTH MAINTENANCE ORGANIZATION; OR