

the Secretary must withdraw approval from the organization before the Commissioner acts.

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

19-729. PROHIBITED ACTS; REMEDIES.

(A) PROHIBITED ACTS.

A HEALTH MAINTENANCE ORGANIZATION MAY NOT:

(1) VIOLATE ANY PROVISION OF THIS SUBTITLE OR ANY RULE OR REGULATION ADOPTED UNDER IT;

(2) FAIL TO FULFILL ITS OBLIGATIONS TO PROVIDE THE HEALTH CARE SERVICES SPECIFIED IN ITS CONTRACTS WITH SUBSCRIBERS;

(3) MAKE ANY FALSE STATEMENT WITH RESPECT TO ANY REPORT OR STATEMENT REQUIRED BY THIS SUBTITLE OR BY THE COMMISSIONER UNDER THIS SUBTITLE;

(4) ADVERTISE, MERCHANDISE, OR ATTEMPT TO MERCHANDISE ITS SERVICES IN A WAY THAT MISREPRESENTS ITS SERVICES OR CAPACITY FOR SERVICE;

(5) ENGAGE IN A DECEPTIVE, MISLEADING, UNFAIR, OR UNAUTHORIZED PRACTICE AS TO ADVERTISING OR MERCHANDISING;

(6) PREVENT OR ATTEMPT TO PREVENT THE COMMISSIONER OR THE DEPARTMENT FROM PERFORMING ANY DUTY IMPOSED BY THIS SUBTITLE;

(7) FRAUDULENTLY OBTAIN OR FRAUDULENTLY ATTEMPT TO OBTAIN ANY BENEFIT UNDER THIS SUBTITLE; OR

(8) FAIL TO FULFILL THE BASIC REQUIREMENTS TO OPERATE AS A HEALTH MAINTENANCE ORGANIZATION AS PROVIDED IN § 19-710 OF THIS SUBTITLE.

(B) REMEDIES.

IF ANY HEALTH MAINTENANCE ORGANIZATION VIOLATES THIS SECTION, THE COMMISSIONER MAY PURSUE ANY ONE OR MORE OF THE COURSES OF ACTION DESCRIBED IN § 19-730 OF THIS SUBTITLE.

REVISOR'S NOTE: Subsections (a)(1) through (7) and (b) of this section formerly appeared as the introductory clause of Article 43, § 850(a).

Subsection (a)(8) of this section is new language added to state explicitly a basic intention of the statute.