

ACTION UNDER §§ 19-728(A), 19-729, OR 19-730 OF THIS SUBTITLE, THE COMMISSIONER SHALL GIVE A WRITTEN NOTICE TO THE HEALTH MAINTENANCE ORGANIZATION OR ITS AGENT OR TO THE OFFICER OF THE ORGANIZATION WHO IS ACCUSED OF VIOLATING THE LAW, THAT STATES SPECIFICALLY THE NATURE OF THE ALLEGED VIOLATION AND SETS A TIME, PLACE, AND DATE THAT A HEARING OF THE MATTER WILL BE HELD. THE HEARING DATE MAY NOT BE LESS THAN 10 DAYS AFTER THE NOTICE.

(B) IMPOSITION.

AFTER THE HEARING OR ON FAILURE OF THE ACCUSED TO APPEAR AT THE HEARING, AND IN ACCORDANCE WITH RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE, THE COMMISSIONER MAY IMPOSE ANY OF THE PENALTIES DESCRIBED IN § 19-730 OF THIS SUBTITLE THAT THE COMMISSIONER CONSIDERS ADVISABLE.

REVISOR'S NOTE: This section formerly appeared as Article 43, § 850(b).

The only changes are in style.

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

19-732. APPEAL FROM DECISION OF DEPARTMENT.

IF THE DEPARTMENT TAKES ACTION UNDER § 19-728(A) OF THIS SUBTITLE THAT OBLIGATES THE COMMISSIONER TO TAKE ACTION IN ANY OF THE WAYS PROVIDED BY §§ 19-729 THROUGH 19-731 OF THIS SUBTITLE, THE AGGRIEVED PARTY, INSOFAR AS THE APPEAL RELATES TO THE ACTION OF THE DEPARTMENT, MAY :

(1) APPEAL THAT DECISION TO THE BOARD OF REVIEW OF THE DEPARTMENT; AND

(2) THEN TAKE ANY FURTHER APPEAL ALLOWED BY THE ADMINISTRATIVE PROCEDURE ACT.

REVISOR'S NOTE: This section formerly appeared as Article 43, § 850(c).

The reference to the "Board of Review of the Department" is added for clarity.

The only other changes are in style.

The Administrative Procedure Act appears in Article 41, § 244 et seq. of the Code.

Defined terms: "Commissioner" § 19-701
"Department" § 1-101

19-733. APPEAL FROM DECISION OF COMMISSIONER.