

**Article - Insurance**14-106.

(c) A nonprofit health service plan may satisfy the public service requirement of this section by establishing that, to the extent the value of the nonprofit health service plan's premium tax exemption under § 6-101(b) of this article exceeds the subsidy required under the Senior Prescription Drug ASSISTANCE Program established under Subtitle 5, Part II of this title, the plan has:

(1) increased access to, or the affordability of, one or more health care products or services by offering and selling health care products or services that are not required or provided for by law;

(2) provided financial or in-kind support for public health programs;

(3) employed underwriting standards in a manner that increases the availability of one or more health care services or products;

(4) employed pricing policies that enhance the affordability of health care services or products and result in a higher medical loss ratio than that established by a comparable for-profit health insurer; or

(5) served the public interest by any method or practice approved by the Commissioner.

(d) Notwithstanding subsection (c) of this section, a nonprofit health service plan that is subject to this section and issues comprehensive health care benefits in the State shall:

(1) offer health care products in the individual market;

(2) offer health care products in the small employer group market in accordance with Title 15, Subtitle 12 of this article; and

(3) [administer and] subsidize the Senior Prescription Drug ASSISTANCE Program established under Title 14, Subtitle 5, Part II of this title.

(e) The subsidy required under the Senior Prescription Drug ASSISTANCE Program may not exceed:

(1) FOR THE PERIOD OF JANUARY 1 THROUGH JUNE 30, 2006, \$8,000,000;

(2) FOR FISCAL YEAR 2007, \$14,000,000; AND

(3) FOR ANY YEAR, the value of the nonprofit health service plan's premium tax exemption under § 6-101(b) of this article.

14-504.

(a) (1) There is a Maryland Health Insurance Plan Fund.

(2) The Fund is a special nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.