

(D) (1) IF A MEDICAL PROFESSIONAL LIABILITY INSURER PROVIDES COVERAGE TO A HEALTH CARE PROVIDER AND THAT INSURER DID NOT EARN PREMIUMS IN THE PREVIOUS CALENDAR YEAR IN THE STATE, THAT INSURER SHALL BE ALLOCATED 5% OF THE BALANCE OF THE RATE STABILIZATION ACCOUNT OR A LESSER AMOUNT AS DETERMINED BY THE COMMISSIONER.

(2) IF AN ALLOCATION IS MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE FUNDS AVAILABLE TO OTHER MEDICAL PROFESSIONAL LIABILITY INSURERS SHALL BE REDUCED ON A PRO RATA BASIS.

19-804.

(A) THE ORDER OF PREFERENCE FOR DISTRIBUTION FROM THE FUND SHALL BE AS FOLLOWS:

(1) DISBURSEMENTS FROM THE RATE STABILIZATION ACCOUNT TO SUBSIDIZE HEALTH CARE PROVIDER RATES UNDER § 19-805 OF THIS SUBTITLE;

(2) DISBURSEMENTS FROM THE MEDICAL ASSISTANCE PROGRAM ACCOUNT SUFFICIENT TO:

(I) PAY FOR ~~INCREASE~~ INCREASED RATES TO HEALTH CARE PROVIDERS IDENTIFIED UNDER § 19-807(B)(2) OF THIS SUBTITLE; AND

(II) ~~TO~~ PAY MANAGED CARE ORGANIZATION HEALTH CARE PROVIDERS IDENTIFIED UNDER § 19-807(B)(2) OF THIS SUBTITLE CONSISTENT WITH THE FEE-FOR-SERVICE HEALTH CARE PROVIDER RATE INCREASES;

(3) DISBURSEMENTS TO MAINTAIN THE INCREASE IN HEALTH CARE PROVIDER REIMBURSEMENTS UNDER § 19-807(B)(2) OF THIS SUBTITLE;

(4) DISBURSEMENTS TO INCREASE CAPITATION PAYMENTS TO MANAGED CARE ORGANIZATIONS PARTICIPATING IN THE MARYLAND MEDICAL ASSISTANCE PROGRAM CONSISTENT WITH § 15-103(B)(18) OF THE HEALTH - GENERAL ARTICLE; AND

(5) DISBURSEMENTS FROM THE MEDICAL ASSISTANCE PROGRAM ACCOUNT TO:

(I) INCREASE FEE-FOR-SERVICE HEALTH CARE PROVIDER RATES UNDER § 19-807 OF THIS SUBTITLE; AND

(II) ~~TO~~ PAY MANAGED CARE ORGANIZATION HEALTH CARE PROVIDERS CONSISTENT WITH FEE-FOR-SERVICE HEALTH CARE PROVIDER RATES UNDER § 19-807(B)(3) OF THIS SUBTITLE.

(B) DISBURSEMENTS FROM THE RATE STABILIZATION ACCOUNT TO A MEDICAL PROFESSIONAL LIABILITY INSURER MAY NOT EXCEED THE AMOUNT NECESSARY TO PROVIDE A RATE REDUCTION, CREDIT, OR REFUND TO HEALTH CARE PROVIDERS.