

(C) (1) PORTIONS OF THE RATE STABILIZATION ACCOUNT THAT EXCEED THE AMOUNT NECESSARY TO PAY FOR HEALTH CARE PROVIDER SUBSIDIES SHALL REMAIN IN THE RATE STABILIZATION ACCOUNT TO BE USED:

(I) TO PAY FOR HEALTH CARE PROVIDER SUBSIDIES IN CALENDAR YEARS 2006 THROUGH 2008; AND

(II) AFTER THE FISCAL YEAR 2009 ALLOCATION TO THE RATE STABILIZATION ACCOUNT UNDER § 19-803(B) OF THIS SUBTITLE, BY THE MEDICAL ASSISTANCE PROGRAM ACCOUNT FOR THE PURPOSES SPECIFIED UNDER § 19-807(B) OF THIS SUBTITLE.

(2) ANY DISBURSEMENTS FROM THE RATE STABILIZATION ACCOUNT TO A MEDICAL PROFESSIONAL LIABILITY INSURER THAT IS NOT USED TO PROVIDE A RATE REDUCTION, CREDIT, OR REFUND TO A HEALTH CARE PROVIDER SHALL BE RETURNED TO THE STATE TREASURER FOR REVERSION TO THE FUND.

(D) A MEDICAL PROFESSIONAL LIABILITY INSURER SHALL REDUCE THE SUBSIDY PAID TO EACH HEALTH CARE PROVIDER ELECTING TO RECEIVE A SUBSIDY IF THE BALANCE OF THE RATE STABILIZATION ACCOUNT IS INSUFFICIENT TO PAY HEALTH CARE PROVIDER SUBSIDIES.

19-805.

(A) (1) PARTICIPATION IN THE FUND BY A MEDICAL PROFESSIONAL LIABILITY INSURER SHALL BE VOLUNTARY.

~~(A)~~ (2) ON AT LEAST AN ANNUAL BASIS, A MEDICAL PROFESSIONAL LIABILITY INSURER SEEKING REIMBURSEMENT FROM THE RATE STABILIZATION ACCOUNT SHALL:

~~(1)~~ (I) DETERMINE THE ~~STABILIZED RATE~~ AMOUNT OF THE SUBSIDY FOR EACH POLICYHOLDER; AND

~~(2)~~ (II) SEND A WRITTEN NOTICE TO EACH POLICYHOLDER STATING:

~~(1)~~ 1. THE AMOUNT OF THE ESTIMATED ANNUAL SUBSIDY PROVIDED BY THE STATE; AND

~~(2)~~ 2. THE PROCEDURE A HEALTH CARE PROVIDER SHALL FOLLOW IF ELECTING NOT TO RECEIVE A RATE REDUCTION, CREDIT, OR REFUND.

(B) SUBJECT TO § 19-804(D) OF THIS SUBTITLE AND SUBSECTION (C) OF THIS SECTION, THE SUBSIDY PROVIDED TO EACH POLICYHOLDER SHALL EQUAL THE DIFFERENCE BETWEEN:

~~(1) THE AMOUNT OF THE ANNUAL BASE PREMIUM RATE CHARGED ON THE POLICY BY THE INSURER AT THE APPROVED RATE; AND~~

~~(2) THE AMOUNT OF THE ANNUAL BASE PREMIUM RATE CHARGED BY THE INSURER ON THE POLICY AT THE STABILIZED RATE~~ BE: