

(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ANY REHABILITATION OR LIQUIDATION OF A HEALTH MAINTENANCE ORGANIZATION SHALL BE DEEMED TO BE THE REHABILITATION OR LIQUIDATION OF AN INSURER AND SHALL BE CONDUCTED UNDER THE SUPERVISION OF THE COMMISSIONER UNDER THE LAW GOVERNING THE REHABILITATION OR LIQUIDATION OF INSURERS.

(2) THE PROVISIONS OF ARTICLE 48A, §§ 162, 162A, 163, AND 164 OF THE CODE DO NOT APPLY TO THE REHABILITATION OR LIQUIDATION OF A HEALTH MAINTENANCE ORGANIZATION.

(C) THE COMMISSIONER MAY APPLY FOR AN ORDER DIRECTING THE COMMISSIONER TO REHABILITATE OR LIQUIDATE A HEALTH MAINTENANCE ORGANIZATION:

(1) UPON ANY ONE OR MORE GROUNDS SET OUT IN ARTICLE 48A, SUBTITLE 10 OF THE CODE; OR

(2) WHEN IN THE COMMISSIONER'S OPINION THE CONTINUED OPERATION OF THE HEALTH MAINTENANCE ORGANIZATION WOULD BE HAZARDOUS EITHER TO ITS MEMBERS OR TO THE PEOPLE OF THIS STATE.

(D) IN THE EVENT OF THE LIQUIDATION OR REHABILITATION OF A HEALTH MAINTENANCE ORGANIZATION UNDER THIS SECTION, MEMBERS OF THE HEALTH MAINTENANCE ORGANIZATION SHALL HAVE THE SAME PRIORITY OF CLAIMS AS PROVIDED IN ARTICLE 48A, § 158A OF THE CODE.

(E) (1) A HEALTH CARE PROVIDER MAY NOT ASSERT A CLAIM OF SUBROGATION AGAINST:

(I) A MEMBER OF AN INSOLVENT HEALTH MAINTENANCE ORGANIZATION; OR

(II) AGAINST ANY INDIVIDUAL, ORGANIZATION, OR GOVERNMENT AGENCY WHICH HAS MADE PAYMENTS TO THE HEALTH MAINTENANCE ORGANIZATION ON BEHALF OF A MEMBER.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, A HEALTH CARE PROVIDER MAY ASSERT ANY CLAIM IT MAY HAVE AGAINST THE RECEIVER OF THE INSOLVENT HEALTH MAINTENANCE ORGANIZATION.

19-709.

(b) In addition to the fee required under subsection (a) of this section, each health maintenance organization shall pay a reasonable sum, not exceeding [\$2,500] \$7,500, that the Commissioner finds to be the cost of the investigations made by the Commissioner and the Department as required under this subtitle.

19-718.

(a) The Commissioner or an agent of the Commissioner shall examine the financial affairs and status of each health maintenance organization at least once every 3 years.