

(b) A health maintenance organization may not use any advertising that [identifies, refers to, or] makes any qualitative judgment about any person who provides services for a health maintenance organization.

19-728.

(b) The Commissioner is responsible for:

(1) Determining whether each health maintenance organization is or will be able to provide a fiscally sound operation and adequate provision against risk of insolvency AND MAY ADOPT REASONABLE RULES AND REGULATIONS DESIGNED TO ACHIEVE THIS GOAL; and

(2) Actuarial and financial evaluations and determinations of each health maintenance organization.

(c) (1) If the Commissioner determines that a health maintenance organization is not operating in a fiscally sound manner, the Commissioner shall notify the Department of the determination.

(2) After NOTIFYING the Department [receives notice] in accordance with the provisions of paragraph (1) of this subsection, the [Department] COMMISSIONER shall monitor the health maintenance organization on a continuous basis until the [Department] COMMISSIONER determines that the health maintenance organization is operating in a fiscally sound manner.

SECTION 2. AND BE IT FURTHER ENACTED, That changes made to § 19-116 of the Health - General Article as enacted by this Act shall remain effective only for a period of 1 year and, at the end of June 30, 1988, and with no further action required by the General Assembly, the changes made by this Act to § 19-116 of the Health - General Article shall be abrogated and of no further force and effect.

SECTION 3. AND BE IT FURTHER ENACTED, That the provisions of this Act relating to the certificate of need requirements for an ambulatory surgical facility or center shall not apply for a health maintenance organization that has written a letter of notification prior to January 1, 1987 to the Health Resources Planning Commission indicating its intent to establish an ambulatory surgical facility or center.

SECTION 2 3- 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1987.

Approved May 14, 1987.