

(ii) Impair the carrier's ability to meet its contractual obligations; or

(8) If the carrier is a health maintenance organization, for reasons stated in § 19-725(b) of the Health - General Article.]

(A) A CARRIER SHALL RENEW HEALTH BENEFIT PLANS, EXCEPT IN ANY OF THE FOLLOWING CASES:

(1) NONPAYMENT OF THE REQUIRED PREMIUMS;

(2) FRAUD OR MISREPRESENTATION OF AN ENROLLEE OR A REPRESENTATIVE OF AN ENROLLEE;

(3) REPEATED MISUSE OF A PROVIDER NETWORK PROVISION INCLUDING UNREASONABLE REFUSAL OF THE ENROLLEE TO FOLLOW A PRESCRIBED COURSE OF TREATMENT, ABUSIVE OVERUTILIZATION BY AN ENROLLEE, OR VIOLATION OF REASONABLE POLICIES OF A CARRIER; OR

(4) THE CARRIER ELECTS TO TERMINATE ALL HEALTH BENEFIT PLANS IN THE STATE.

(B) (1) A CARRIER THAT ELECTS NOT TO RENEW HEALTH BENEFIT PLANS SHALL:

(I) PROVIDE ADVANCE NOTICE OF ITS DECISION UNDER THIS PARAGRAPH TO THE INSURANCE COMMISSIONER; AND

(II) PROVIDE NOTICE OF THE DECISION TO ENROLLEES AT LEAST 120 DAYS PRIOR TO THE NONRENEWAL OF ANY HEALTH BENEFIT PLAN BY THE CARRIER.

(2) THE CARRIER SHALL BE PROHIBITED FROM WRITING NEW BUSINESS IN THE STATE FOR A PERIOD OF 5 YEARS FROM THE DATE OF NOTICE TO THE INSURANCE COMMISSIONER OR UNTIL THE INSURANCE COMMISSIONER INVITES THE CARRIER TO RENEW PARTICIPATION, WHICHEVER IS SOONER.

~~[(d)](C) Within 7 days following cancellation or nonrenewal of a health benefit plan, the carrier shall send written notice to each enrolled employee of its action and the conversion rights available to each enrolled employee under §§ 354T and 477K of this article.~~

(c) When a carrier elects not to renew all health benefit plans in the State, the carrier:

(1) Shall give notice of its decision to the affected small employers and the insurance regulatory authority of each state in which an eligible employee or dependent resides at least 180 days before the effective date of nonrenewal;

(2) At least 30 working days before that notice, shall give notice to the Commissioner; and

(3) May not write new business for small employers in the State for a 5-year period beginning on the date of notice to the Commissioner.