

(II) "PROVIDER PANEL" DOES NOT INCLUDE AN ARRANGEMENT BETWEEN A CARRIER AND PROVIDERS IN WHICH ANY PROVIDER MAY PARTICIPATE SOLELY ON THE BASIS OF THE PROVIDER'S CONTRACTING WITH THE CARRIER TO PROVIDE SERVICES AT A DISCOUNTED FEE-FOR-SERVICE RATE.

(B) A CARRIER THAT USES A PROVIDER PANEL SHALL ESTABLISH PROCEDURES FOR:

(1) REVIEWING APPLICATIONS FOR PARTICIPATION IN THE CARRIER'S PROVIDER PANEL IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION;

(2) NOTIFYING EACH AN ENROLLEE OF:

(I) THE TERMINATION FROM THE CARRIER'S PROVIDER PANEL OF A THE ENROLLEE'S PRIMARY CARE PROVIDER FROM THE CARRIER'S PROVIDER PANEL THAT WHO WAS FURNISHING HEALTH CARE SERVICES TO ENROLLEES OF THE CARRIER THE ENROLLEE; AND

(II) THE RIGHT OF AN ENROLLEE UPON REQUEST TO CONTINUE TO RECEIVE HEALTH CARE SERVICES FOR A PERIOD OF UP TO 90 DAYS FROM THE DATE OF THE PRIMARY CARE PROVIDER'S NOTICE OF TERMINATION FROM A CARRIER'S PROVIDER PANEL FOR REASONS UNRELATED TO THE TERMS OF THE PROVIDER'S CONTRACT WITH THE CARRIER FRAUD, PATIENT ABUSE, INCOMPETENCY, OR LOSS OF LICENSURE STATUS BY THE PROVIDER;

(3) PRIOR TO TERMINATING A PROVIDER PARTICIPATING IN THE CARRIER'S PROVIDER PANEL FOR REASONS UNRELATED TO THE TERMS OF THE PROVIDER'S CONTRACT WITH THE CARRIER, NOTIFYING THE PROVIDER 90 DAYS PRIOR TO THE DATE OF THE TERMINATION;

(3) NOTIFYING A PROVIDER AT LEAST 90 DAYS PRIOR TO THE DATE OF THE TERMINATION OF THE PROVIDER FOR REASONS UNRELATED TO FRAUD, PATIENT ABUSE, INCOMPETENCY, OR LOSS OF LICENSURE STATUS BY THE PROVIDER; AND

(4) NOTIFYING PRIMARY CARE PROVIDERS IN THE CARRIER'S PROVIDER PANEL OF THE TERMINATION OF A SPECIALTY REFERRAL SERVICES PROVIDER; AND

(5) IN FORMULATING ITS PROVIDER PANEL, GIVING PRIORITY TO MAKING THE PANEL AS ETHNICALLY REPRESENTATIVE AS POSSIBLE OF THE COMMUNITY IN WHICH THE CARRIER IS PROVIDING HEALTH CARE SERVICES.

(C) A CARRIER THAT USES A PROVIDER PANEL SHALL:

(1) UPON REQUEST, PROVIDE AN APPLICATION, AND INFORMATION RELATIVE TO CONSIDERATION FOR PARTICIPATION IN THE CARRIER'S PROVIDER PANEL, TO ANY PROVIDER WISHING TO APPLY FOR PARTICIPATION IN THE CARRIER'S PROVIDER PANEL; AND

(2) MAKE PUBLICLY AVAILABLE ITS APPLICATION; AND