

(IV) FAILURE OF A CARRIER TO SEND THE WRITTEN NOTIFICATION REQUIRED UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH SHALL BE CONSIDERED A VIOLATION OF THIS ARTICLE AND THE CARRIER IS SUBJECT TO THE PROVISIONS AND PENALTIES OF §§ 55 AND 55A OF THIS ARTICLE.

(4) (I) A CARRIER THAT RECEIVES AN INCOMPLETE APPLICATION SUBMITTED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION SHALL RETURN THE APPLICATION WITHIN 10 DAYS FROM THE DATE OF RECEIPT TO THE PROVIDER TO THE ADDRESS LISTED ON THE APPLICATION.

(II) THE CARRIER SHALL INDICATE TO THE PROVIDER WHAT INFORMATION IS NEEDED IN ORDER TO MAKE THE APPLICATION COMPLETE.

(III) THE PROVIDER MAY RETURN THE COMPLETED APPLICATION TO THE CARRIER.

(IV) AFTER THE CARRIER RECEIVES THE COMPLETED APPLICATION, THE CARRIER IS SUBJECT TO THE TIME PERIODS ESTABLISHED IN PARAGRAPH (3) OF THIS SUBSECTION.

(5) A CARRIER MAY CHARGE A REASONABLE FEE FOR ANY APPLICATION THAT A PROVIDER SUBMITS TO THE CARRIER UNDER THIS SECTION.

(E) A CARRIER MAY NOT DENY AN APPLICATION FOR PARTICIPATION OR TERMINATE PARTICIPATION ON ITS PROVIDER PANEL ON THE BASIS OF:

(1) GENDER, RACE, AGE, RELIGION, NATIONAL ORIGIN, OR A PROTECTED CATEGORY UNDER THE AMERICANS WITH DISABILITIES ACT;

(2) THE TYPE OR NUMBER OF APPEALS FILED BY THE PROVIDER UNDER THE PROVISIONS OF TITLE 19, SUBTITLE 13 OF THE HEALTH - GENERAL ARTICLE; OR

(3) THE TYPE OR THE NUMBER OF COMPLAINTS OR GRIEVANCES THE PROVIDER FILED OR REQUESTED FOR REVIEW UNDER THE CARRIER'S INTERNAL REVIEW SYSTEM.

(F) (1) A CARRIER MAY NOT DENY AN APPLICATION FOR PARTICIPATION OR TERMINATE PARTICIPATION ON ITS PROVIDER PANEL SOLELY ON THE BASIS OF THE LICENSE, CERTIFICATION, OR OTHER AUTHORIZATION OF THE PROVIDER TO PROVIDE SERVICES IF THE CARRIER PROVIDES SERVICES WITHIN THE PROVIDER'S LAWFUL SCOPE OF PRACTICE.

(2) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION, A CARRIER MAY REJECT AN APPLICATION FOR PARTICIPATION OR TERMINATE PARTICIPATION ON THE CARRIER'S PROVIDER PANEL BASED ON THE PARTICIPATION ON THE CARRIER'S PROVIDER PANEL BY A SUFFICIENT NUMBER OF SIMILARLY QUALIFIED PROVIDERS.

(3) A VIOLATION OF THIS SUBSECTION DOES NOT CREATE A NEW CAUSE OF ACTION.