

THE BOARD HAS THE GENERAL POWERS AND AUTHORITY GRANTED UNDER THE LAWS OF THE STATE TO HEALTH INSURERS AND HEALTH MAINTENANCE ORGANIZATIONS AUTHORIZED TO TRANSACT BUSINESS, EXCEPT FOR THE POWER TO ISSUE HEALTH BENEFIT PLANS DIRECTLY TO GROUPS OR INDIVIDUALS.

(C) SPECIFIC POWERS OF BOARD.

THE BOARD MAY:

(1) ENTER INTO CONTRACTS AS NECESSARY OR PROPER TO CARRY OUT THIS SUBTITLE AND, WITH APPROVAL OF THE COMMISSIONER, ENTER INTO CONTRACTS WITH SIMILAR PROGRAMS OF OTHER STATES FOR THE JOINT PERFORMANCE OF COMMON FUNCTIONS OR WITH PERSONS OR OTHER ORGANIZATIONS FOR THE PERFORMANCE OF ADMINISTRATIVE FUNCTIONS;

(2) SUE OR BE SUED;

(3) TAKE ANY LEGAL ACTION NECESSARY OR PROPER TO RECOVER ASSESSMENTS AND PENALTIES FOR, ON BEHALF OF, OR AGAINST THE POOL OR REINSURING CARRIERS OR NECESSARY TO AVOID THE PAYMENT OF IMPROPER CLAIMS AGAINST THE BOARD;

(4) DEFINE THE HEALTH BENEFIT PLANS AND MEDICAL CONDITIONS FOR WHICH CLAIMS MAY BE REINSURED WITH THE POOL IN ACCORDANCE WITH THIS SUBTITLE;

(5) ESTABLISH RULES, CONDITIONS, AND PROCEDURES THAT RELATE TO REINSURANCE OF CLAIMS BY THE POOL;

(6) ESTABLISH ACTUARIAL FUNCTIONS AS APPROPRIATE FOR THE OPERATION OF THE POOL;

(7) ASSESS REINSURING CARRIERS IN ACCORDANCE WITH THE PROVISIONS OF § 15-1221 OF THIS SUBTITLE;

(8) MAKE ADVANCE INTERIM ASSESSMENTS AS MAY BE REASONABLE AND NECESSARY FOR ORGANIZATIONAL AND INTERIM OPERATING EXPENSES, TO BE CREDITED AGAINST ANY ASSESSMENTS DUE AFTER THE CLOSE OF THE FISCAL YEAR;

(9) APPOINT APPROPRIATE COMMITTEES AS NECESSARY TO PROVIDE TECHNICAL ASSISTANCE IN THE OPERATION OF THE POOL, POLICY AND OTHER CONTRACT DESIGN, AND ANY OTHER FUNCTION WITHIN THE AUTHORITY OF THE POOL; AND

(10) BORROW MONEY TO CARRY OUT THE PURPOSES OF THE POOL.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 708.

In subsection (c)(3) of this section, the reference to "reinsuring carriers" is substituted for the former reference to "participating carriers" to allow the