

(II) PROVIDE A COPY OF A CARRIER'S REPORT FILING UNDER PARAGRAPH (1) OF THIS SUBSECTION TO ANY PERSON UPON REQUEST IN A TIMELY MANNER AND AT A REASONABLE COST TO THE PERSON.

~~(J) AN INDIVIDUAL SERVING AS A CLINICAL EXPERT FOR THE PURPOSES OF THIS SECTION SHALL HAVE THE IMMUNITY FROM LIABILITY DESCRIBED UNDER § 5-399.8 OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE.~~

~~(K) EACH CARRIER SHALL INCLUDE IN SUMMARY FORM INFORMATION ON THE PROCESS THAT THE CARRIER IS REQUIRED UNDER THIS SECTION TO ESTABLISH AND FOLLOW IN EVALUATING EMERGING MEDICAL AND SURGICAL TREATMENTS FOR THE PURPOSE OF MAKING COVERAGE DECISIONS IN:~~

~~(1) THE MARKETING AND ENROLLMENT MATERIALS OF THE CARRIER TO EACH CURRENT ENROLLEE AND PROSPECTIVE ENROLLEE AT THE TIME OF OPEN ENROLLMENT OR POLICY OR CONTRACT RENEWAL; AND~~

~~(2) THE CONTRACT OR AN ATTACHMENT TO THE CONTRACT OF A PROVIDER BEING OFFERED A CONTRACT BY THE CARRIER TO RENDER HEALTH CARE SERVICES TO ENROLLEES OF THE CARRIER.~~

(L) AFTER NOTIFYING A CARRIER AND PROVIDING AN OPPORTUNITY FOR A HEARING, THE COMMISSIONER MAY ISSUE AN ORDER UNDER § 4-113(D) OF THIS ARTICLE FOR A VIOLATION OF THIS SECTION.

(M) (1) THE COMMISSIONER MAY WAIVE THE APPLICATION OF ~~THIS SECTION~~ SUBSECTION (F) OF THIS SECTION FOR A CARRIER THAT HAS IN PLACE A PROCESS FOR EVALUATING EMERGING MEDICAL AND SURGICAL TREATMENTS USED FOR THE PURPOSE OF MAKING COVERAGE DECISIONS, IF THE COMMISSIONER DETERMINES THAT THE CARRIER'S PROCESS IS SUBSTANTIALLY EQUIVALENT TO, OR EXCEEDS, THE REQUIREMENTS OF THIS SECTION.

(2) A CARRIER RECEIVING A WAIVER UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL REPORT ANY CHANGE IN ITS PROCESS FOR EVALUATING EMERGING MEDICAL AND SURGICAL TREATMENTS TO THE COMMISSIONER.

(3) THE COMMISSIONER MAY WITHDRAW A WAIVER GRANTED UNDER PARAGRAPH (1) OF THIS SUBSECTION WHENEVER THE COMMISSIONER DETERMINES THAT THE CARRIER'S PROCESS FOR EVALUATING EMERGING MEDICAL AND SURGICAL TREATMENTS IS NOT SUBSTANTIALLY EQUIVALENT TO THE REQUIREMENTS OF THIS SECTION.

(N) THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

Article—Courts and Judicial Proceedings

5-399.8.

~~AN INDIVIDUAL IDENTIFIED AND SERVING AS A CLINICAL EXPERT UNDER § 15-121 OF THE INSURANCE ARTICLE FOR THE PURPOSE OF EVALUATING EMERGING~~