

REVISOR'S NOTE: This section is new language derived without substantive change from the second and third sentences of former Art. 48A, § 355(a).

In item (3)(i) of this section, the reference to "articles" of incorporation is substituted for the former reference to a "certificate" of incorporation for accuracy.

As to the deletion of the former references to "license" in the introductory language of this section, see the General Revisor's Note to this subtitle.

Defined terms: "Certificate of authority" § 1-101

"Commissioner" § 1-101

"Health care provider" § 14-101

"Health care services" § 14-101

14-110. ISSUANCE OF CERTIFICATE OF AUTHORITY.

THE COMMISSIONER SHALL ISSUE A CERTIFICATE OF AUTHORITY TO AN APPLICANT IF:

(1) THE APPLICANT HAS PAID THE APPLICABLE FEE REQUIRED BY § 2-112 OF THIS ARTICLE; AND

(2) THE COMMISSIONER IS SATISFIED:

(I) THAT THE APPLICANT HAS BEEN ORGANIZED IN GOOD FAITH FOR THE PURPOSE OF ESTABLISHING, MAINTAINING, AND OPERATING A NONPROFIT HEALTH SERVICE PLAN;

(II) THAT:

1. EACH CONTRACT EXECUTED OR PROPOSED TO BE EXECUTED BY THE APPLICANT AND A HEALTH CARE PROVIDER TO FURNISH HEALTH CARE SERVICES TO SUBSCRIBERS TO THE NONPROFIT HEALTH SERVICE PLAN, OBLIGATES OR, WHEN EXECUTED, WILL OBLIGATE EACH HEALTH CARE PROVIDER PARTY TO THE CONTRACT TO RENDER THE HEALTH CARE SERVICES TO WHICH EACH SUBSCRIBER IS ENTITLED UNDER THE TERMS AND CONDITIONS OF THE VARIOUS CONTRACTS ISSUED OR PROPOSED TO BE ISSUED BY THE APPLICANT TO SUBSCRIBERS TO THE PLAN; AND

2. EACH SUBSCRIBER IS ENTITLED TO REIMBURSEMENT FOR PODIATRIC, CHIROPRACTIC, PSYCHOLOGICAL, OR OPTOMETRIC SERVICES, REGARDLESS OF WHETHER THE SERVICE IS PERFORMED BY A LICENSED PHYSICIAN, LICENSED PODIATRIST, LICENSED CHIROPRACTOR, LICENSED PSYCHOLOGIST, OR LICENSED OPTOMETRIST;

(III) THAT:

1. EACH CONTRACT ISSUED OR PROPOSED TO BE ISSUED TO SUBSCRIBERS TO THE PLAN IS IN A FORM APPROVED BY THE COMMISSIONER; AND

2. THE RATES CHARGED OR PROPOSED TO BE CHARGED FOR EACH FORM OF EACH CONTRACT ARE FAIR AND REASONABLE; AND