

(I) WITHIN 20 DAYS AFTER A CHANGE IN THE GROSS CONTRACT AND CERTIFICATE INCOME; OR

(II) IF NECESSARY, ANNUALLY ON JULY 1.

(C) REDUCTION IN AMOUNT.

(1) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, IF THE COMMISSIONER DETERMINES AFTER A HEARING THAT THE SURPLUS OR BOND PROVIDED BY THE DENTAL PLAN ORGANIZATION UNDER SUBSECTIONS (A) AND (B) OF THIS SECTION IS EXCESSIVE, THE COMMISSIONER MAY REDUCE THE AMOUNT OF THE SURPLUS OR BOND REQUIRED.

(2) THE COMMISSIONER MAY NOT REDUCE THE AMOUNT OF THE SURPLUS OR BOND UNLESS THE COMMISSIONER DETERMINES THAT THE DENTAL PLAN ORGANIZATION IS SOLVENT AND HAS SURPLUS ASSETS OF AT LEAST \$75,000 IN EXCESS OF LIABILITIES.

(3) A DENTAL PLAN ORGANIZATION THAT IS ALLOWED TO REDUCE THE AMOUNT OF ITS SURPLUS OR BOND UNDER THIS SUBSECTION THEREAFTER SHALL MAINTAIN SURPLUS ASSETS OF AT LEAST \$75,000 IN EXCESS OF LIABILITIES.

(D) EXCLUSIONS.

THE GROSS CONTRACT AND CERTIFICATE INCOME FOR 1 YEAR OF A DENTAL PLAN ORGANIZATION THAT IS REFERRED TO IN SUBSECTION (B) OF THIS SECTION MAY NOT INCLUDE INCOME EARNED FROM A DENTAL PLAN IF:

(1) PARTICIPATION IS WHOLLY VOLUNTARY ON THE PART OF THE ENROLLEE;

(2) THE COST FOR THE DENTAL PLAN IS BORNE BY THE ENROLLEE;  
AND

(3) THE PAYMENT FOR THE DENTAL PLAN IS BY PAYROLL DEDUCTION ON THE BASIS OF EVERY WEEK, 2 WEEKS, OR MONTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 586.

In subsection (a) of this section, the former reference to a dental plan organization "operating a dental plan on or after July 1, 1984" is deleted as obsolete.

Also in subsection (a) of this section, the former word "suitable", which modified "bond", is deleted as surplusage.

In subsection (b)(1) and (2) of this section, the reference to the "amount" of the surplus or bond is added for accuracy and consistency.

In subsection (b)(1)(i) of this section, the reference to the gross contract and certificate income "of the dental plan organization" is added for clarity.

In subsection (b)(2)(i) of this section, the former word "actual", which