

2. SEND WRITTEN NOTICE OF THE ACCEPTANCE OR REJECTION TO THE PROVIDER AT THE ADDRESS LISTED IN THE APPLICATION.

(IV) THE FAILURE OF A CARRIER TO PROVIDE THE NOTICE REQUIRED UNDER SUBPARAGRAPH (III)2 OF THIS PARAGRAPH IS A VIOLATION OF THIS ARTICLE AND THE CARRIER IS SUBJECT TO THE PROVISIONS OF AND PENALTIES PROVIDED BY §§ 4-113 AND 4-114 OF THIS ARTICLE.

(4) (I) A CARRIER THAT RECEIVES AN INCOMPLETE APPLICATION SHALL RETURN THE APPLICATION TO THE PROVIDER AT THE ADDRESS LISTED IN THE APPLICATION WITHIN 10 DAYS AFTER THE DATE THE APPLICATION IS RECEIVED.

(II) THE CARRIER SHALL INDICATE TO THE PROVIDER WHAT INFORMATION IS NEEDED 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 AN APPLICATION SUBMITTED TO THE CARRIER UNDER THIS SECTION.

(E) PROHIBITED DENIALS AND TERMINATIONS – IN GENERAL.

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 FEDERAL AMERICANS WITH DISABILITIES ACT;

(2) THE TYPE OR NUMBER OF APPEALS THAT THE PROVIDER FILES UNDER TITLE 19, SUBTITLE 13 OF THE HEALTH – GENERAL ARTICLE; OR

(3) THE TYPE OR NUMBER OF COMPLAINTS OR GRIEVANCES THAT THE PROVIDER FILES OR REQUESTS FOR REVIEW UNDER THE CARRIER'S INTERNAL REVIEW SYSTEM ESTABLISHED UNDER SUBSECTION (H) OF THIS SECTION.

(F) SAME – LICENSING, CERTIFICATION, AND AUTHORIZATION.

(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 HEALTH CARE SERVICES IF THE CARRIER PROVIDES HEALTH CARE SERVICES WITHIN THE PROVIDER'S LAWFUL SCOPE OF PRACTICE.

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