

~~(III) ANY OTHER FINANCIAL INFORMATION THE COMMISSIONER REQUIRES FOR ADEQUATE FINANCIAL EVALUATION;~~

~~(2) COPIES OF DOWNSTREAM RISK ASSUMPTION CONTRACTS PROPOSED TO BE MADE BETWEEN THE APPLICANT FOR LICENSURE AS A HEALTH SERVICES CONTRACTOR AND A HEALTH MAINTENANCE ORGANIZATION; AND~~

~~(3) COPIES OF ADMINISTRATIVE SERVICE PROVIDER CONTRACTS PROPOSED TO BE MADE BETWEEN THE APPLICANT FOR LICENSURE AS A HEALTH SERVICES CONTRACTOR AND A CONTRACTING PROVIDER.~~

~~(B) AN APPLICANT FOR LICENSURE AS A HEALTH SERVICES CONTRACTOR SHALL SATISFY TO THE COMMISSIONER THAT THE APPLICANT HAS A DEMONSTRATED CAPACITY TO ASSUME FINANCIAL RISK UNDER THE PROPOSED DOWNSTREAM RISK ASSUMPTION CONTRACT AND WILL MEET THE REQUIREMENTS OF THIS SUBTITLE.~~

15-10D-05.

~~(A) THE COMMISSIONER SHALL ESTABLISH AND ADOPT BY REGULATION:~~

~~(1) MINIMUM CAPITAL AND SURPLUS REQUIREMENTS FOR LICENSED HEALTH SERVICES CONTRACTORS; AND~~

~~(2) REQUIREMENTS THAT A LICENSED HEALTH SERVICES CONTRACTOR MAINTAIN AN INSOLVENCY PLAN APPROVED BY THE COMMISSIONER.~~

~~(B) (1) THE COMMISSIONER SHALL ESTABLISH AND ADOPT BY REGULATION REQUIREMENTS FOR THE CREATION AND MAINTENANCE, BY THE LICENSED HEALTH SERVICES CONTRACTOR OR ON THE LICENSED HEALTH SERVICES CONTRACTOR'S BEHALF, OF A SEGREGATED FUND OR THE AVAILABILITY OF OTHER RESOURCES.~~

~~(2) THE REGULATIONS SHALL:~~

~~(I) REQUIRE A SUFFICIENT AMOUNT TO BE HELD IN THE SEGREGATED FUND TO SATISFY THE OBLIGATIONS OF THE LICENSED HEALTH SERVICES CONTRACTOR TO EXTERNAL PROVIDERS FOR SERVICES RENDERED TO MEMBERS OF THE HEALTH MAINTENANCE ORGANIZATION;~~

~~(II) SPECIFY THE METHODOLOGY FOR DETERMINING A SUFFICIENT AMOUNT TO BE HELD IN THE SEGREGATED FUND;~~

~~(III) PROVIDE THAT THE SEGREGATED FUND MAY INCLUDE WITHHELD FUNDS, ESCROW ACCOUNTS, LETTERS OF CREDIT, OR SIMILAR ARRANGEMENTS;~~

~~(IV) REQUIRE AN ANNUAL REPORTING OF THE STATUS OF THE SEGREGATED FUND; AND~~

~~(V) REQUIRE THAT ANY CHANGES MADE TO A DOWNSTREAM RISK ASSUMPTION CONTRACT SHALL BE REVIEWED BY THE COMMISSIONER TO DETERMINE THE SUFFICIENCY OF THE SEGREGATED FUND BASED ON THE CHANGES MADE TO THE DOWNSTREAM RISK ASSUMPTION CONTRACT.~~