

~~(C) UPON THE BANKRUPTCY OR INSOLVENCY OF A LICENSED HEALTH SERVICES CONTRACTOR, THE SEGREGATED FUND CREATED UNDER THE REGULATIONS REQUIRED UNDER SUBSECTION (B) OF THIS SECTION SHALL BE THE RESPONSIBILITY OF THE HEALTH MAINTENANCE ORGANIZATION AND SHALL BE USED FOR PAYMENTS OWED BY THE LICENSED HEALTH SERVICES CONTRACTOR TO EXTERNAL PROVIDERS AND MAY NOT BE CONSIDERED TO BE AN ASSET OR ACCOUNT OF THE LICENSED HEALTH SERVICES CONTRACTOR.~~

~~(D) THE COMMISSIONER MAY REQUIRE THAT A HEALTH MAINTENANCE ORGANIZATION AND A LICENSED HEALTH SERVICES CONTRACTOR, PRIOR TO ENTERING INTO A DOWNSTREAM RISK ASSUMPTION CONTRACT, FILE AND RECEIVE APPROVAL FROM THE COMMISSIONER OF A PLAN THAT SATISFIES ANY OF THE REQUIREMENTS OF A PLAN TO BE FILED UNDER § 15-10D-08 OF THIS SUBTITLE.~~

~~(E) A LICENSED HEALTH SERVICES CONTRACTOR SHALL COMPLY WITH THE PROVISIONS OF §§ 15-1005 AND 15-1008 OF THIS TITLE AS TO THE CLAIMS OF EXTERNAL PROVIDERS.~~

~~(F) (1) UPON THE FAILURE OF A LICENSED HEALTH SERVICES CONTRACTOR TO COMPLY WITH THE REQUIREMENTS OF THIS SUBTITLE OR UPON THE TERMINATION OF THE DOWNSTREAM RISK ASSUMPTION CONTRACT FOR ANY REASON, THE HEALTH MAINTENANCE ORGANIZATION SHALL:~~

~~(I) BE FINANCIALLY AND ADMINISTRATIVELY RESPONSIBLE FOR PAYMENT DUE FROM THE LICENSED HEALTH CARE SERVICES CONTRACTOR TO EXTERNAL PROVIDERS ON BEHALF OF THE LICENSED HEALTH CARE SERVICES CONTRACTOR; AND~~

~~(II) MAKE ALL PAYMENTS TO EXTERNAL PROVIDERS IN ACCORDANCE WITH THE REQUIREMENTS OF § 15-1005 OF THIS TITLE.~~

~~(2) A HEALTH MAINTENANCE ORGANIZATION SHALL MEET THE REQUIREMENTS OF THIS SUBSECTION, REGARDLESS OF THE EXISTENCE OF THE SEGREGATED FUND OR A CONTRARY PROVISION IN A DOWNSTREAM RISK ASSUMPTION CONTRACT.~~

~~(3) NOTHING IN PARAGRAPH (1) OR (2) OF THIS SUBSECTION MAY BE CONSTRUED TO PROHIBIT A HEALTH MAINTENANCE ORGANIZATION FROM SEEKING PAYMENT FROM A LICENSED HEALTH SERVICES CONTRACTOR OR FROM AMOUNTS HELD IN THE SEGREGATED FUND FOR PAYMENTS MADE TO EXTERNAL PROVIDERS ON BEHALF OF THE LICENSED HEALTH SERVICES CONTRACTOR.~~

~~(G) EXCEPT AS OTHERWISE PROVIDED BY LAW, INDIVIDUAL MEMBERS AND SUBSCRIBERS OF HEALTH MAINTENANCE ORGANIZATIONS SHALL NOT BE LIABLE TO A LICENSED HEALTH SERVICES CONTRACTOR FOR ANY COVERED SERVICES PROVIDED TO THE ENROLLEE OR SUBSCRIBER.~~

~~15-10D-06.~~

~~(A) UNLESS, FOR GOOD CAUSE SHOWN, THE COMMISSIONER EXTENDS THE TIME FOR A REASONABLE PERIOD.~~