

~~(1) § 9-231 OF THIS ARTICLE REGARDING NOTICE OF IMPAIRMENT OF AN INSURER AND PROHIBITION ON CONTRIBUTION TO IMPAIRMENT OF AN INSURER, AND~~

~~(2) TITLE 9, SUBTITLE 1 OF THIS ARTICLE REGARDING IMPAIRED ENTITIES.~~

~~15-10D-08.~~

~~(A) A HEALTH MAINTENANCE ORGANIZATION OR A LICENSED HEALTH SERVICES CONTRACTOR MAY NOT ENTER INTO AN ADMINISTRATIVE SERVICE PROVIDER CONTRACT WITH A CONTRACTING PROVIDER UNLESS:~~

~~(1) THE HEALTH MAINTENANCE ORGANIZATION OR THE LICENSED HEALTH SERVICES CONTRACTOR FILES WITH THE COMMISSIONER A PLAN THAT SATISFIES THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION; AND~~

~~(2) THE COMMISSIONER DOES NOT DISAPPROVE THE FILING WITHIN 30 DAYS AFTER THE PLAN IS FILED.~~

~~(B) THE PLAN REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL:~~

~~(1) REQUIRE THE CONTRACTING PROVIDER TO PROVIDE THE HEALTH MAINTENANCE ORGANIZATION OR THE LICENSED HEALTH SERVICES CONTRACTOR WITH REGULAR REPORTS, AT LEAST QUARTERLY, THAT IDENTIFY PAYMENTS MADE OR OWED TO EXTERNAL PROVIDERS IN SUFFICIENT DETAIL TO DETERMINE IF THE PAYMENTS ARE BEING MADE IN COMPLIANCE WITH LAW;~~

~~(2) REQUIRE THE CONTRACTING PROVIDER TO PROVIDE TO THE HEALTH MAINTENANCE ORGANIZATION OR THE LICENSED HEALTH SERVICES CONTRACTOR A CURRENT ANNUAL FINANCIAL STATEMENT OF THE CONTRACTING PROVIDER EACH YEAR;~~

~~(3) REQUIRE THE CREATION AND MAINTENANCE BY THE CONTRACTING PROVIDER, OR ON THE CONTRACTING PROVIDER'S BEHALF, OF A SEGREGATED FUND IN COMPLIANCE WITH THE REGULATIONS ADOPTED BY THE COMMISSIONER;~~

~~(4) REQUIRE AN EXPLANATION OF HOW THE FUND OR RESOURCES REQUIRED UNDER ITEM (3) OF THIS SUBSECTION CREATE FUNDS OR OTHER RESOURCES SUFFICIENT TO SATISFY THE CONTRACTING PROVIDER'S OBLIGATIONS TO EXTERNAL PROVIDERS FOR SERVICES RENDERED TO MEMBERS OF THE HEALTH MAINTENANCE ORGANIZATION;~~

~~(5) REQUIRE THE CONTRACTING PROVIDER TO COMPLY WITH THE PROVISIONS OF §§ 15-1005 AND 15-1008 OF THIS TITLE; AND~~

~~(6) PERMIT THE HEALTH MAINTENANCE ORGANIZATION OR LICENSED HEALTH SERVICES CONTRACTOR, AT MUTUALLY AGREED UPON TIMES AND UPON REASONABLE PRIOR NOTICE, TO AUDIT AND INSPECT THE CONTRACTING PROVIDER'S BOOKS, RECORDS, AND OPERATIONS RELEVANT TO THE PROVIDER'S CONTRACT FOR THE PURPOSE OF DETERMINING THE CONTRACTING PROVIDER'S COMPLIANCE WITH THE PLAN.~~