

(3) Whenever the Commissioner receives a complaint under paragraph (1) or (2) of this subsection, the Commissioner shall notify the carrier that is the subject of the complaint within 5 working days after the date the complaint is filed with the Commissioner.

(e) Each carrier shall:

(1) file for review with the Commissioner and submit to the Health Advocacy Unit a copy of its internal grievance process established under this subtitle; and

(2) update the initial filing annually to reflect any changes made.

[(f) Except for an emergency case under subsection (b)(2)(i) of this section, at the time a member first contacts a carrier about an adverse decision, the carrier shall send in writing to the member within 2 working days after the initial contact:

(1) the details of its internal grievance process and procedures under the provisions of this subtitle;

(2) information stating that:

(i) the Health Advocacy Unit:

1. is available to assist the member with filing a grievance under the carrier's internal grievance process; but

2. is not available to represent or accompany the member during the proceedings of the internal grievance process;

(ii) the Health Advocacy Unit can assist the member in mediating a resolution of the adverse decision with the carrier, but that any time during the mediation, the member or a health care provider on behalf of the member may file a grievance; and

(iii) the member or a health care provider on behalf of the member may file a complaint with the Commissioner without first filing a grievance if sufficient information and supporting documentation is filed with the complaint that demonstrates a compelling reason to do so;

(3) the address, telephone number, facsimile number, and e-mail address of the Health Advocacy Unit;

(4) the address, telephone number, and facsimile number of the Commissioner; and

(5) information on where the information required by this subsection can be found in the member's policy, plan, certificate, enrollment materials, or other evidence of coverage.]

(F) FOR NONEMERGENCY CASES, WHEN A CARRIER RENDERS AN ADVERSE DECISION, THE CARRIER SHALL: