

~~(6) REQUIRE THE HEALTH MAINTENANCE ORGANIZATION TO INCLUDE A COPY OF EACH CURRENT ANNUAL FINANCIAL STATEMENT OBTAINED UNDER ITEM (3) OF THIS SUBSECTION IN ITS ANNUAL REPORT FILED UNDER § 19-717 OF THIS SUBTITLE.~~

~~(D) A SEGREGATED FUND ESTABLISHED AS A RESULT OF AN ADMINISTRATIVE SERVICE PROVIDER CONTRACT MAY NOT BE CONSIDERED AN ASSET OR AN ACCOUNT OF THE CONTRACTING PROVIDER FOR THE PURPOSES OF DETERMINING THE ASSETS AND ACCOUNTS OF A BANKRUPT CONTRACTING PROVIDER.~~

(E) IN DETERMINING THE SUFFICIENCY OF A SEGREGATED FUND, THE COMMISSIONER MAY CONSIDER WHETHER EXTERNAL PROVIDERS ARE OWNED OR CONTROLLED BY THE CONTRACTING PROVIDER.

(F) THE SEGREGATED FUND OR OTHER RESOURCES ESTABLISHED AS A RESULT OF AN ADMINISTRATIVE SERVICE PROVIDER CONTRACT:

(1) SHALL BE HELD IN TRUST FOR PAYMENT TO EXTERNAL PROVIDERS;
AND

(2) MAY NOT BE CONSIDERED AN ASSET OR AN ACCOUNT OF THE CONTRACTING PROVIDER FOR THE PURPOSE OF DETERMINING THE ASSETS OR ACCOUNTS OF A BANKRUPT CONTRACTING PROVIDER

~~[(d)] (E)~~ (G) The health maintenance organization and the contracting provider shall comply with the plan.

~~[(e)] (F)~~ (H) (1) The health maintenance organization shall monitor the contracting provider to assure compliance with the plan, and the health maintenance organization shall notify the contracting provider whenever a failure to comply with the plan occurs.

(2) (I) ~~{Upon}~~ SUBJECT TO SUBPARAGRAPH (H) OF THIS PARAGRAPH, ~~UPON~~ the failure of the contracting provider to comply with the plan following notice of noncompliance, or upon termination of the administrative service provider contract for any reason, the health maintenance organization shall NOTIFY THE COMMISSIONER AND SHALL assume the ~~FINANCIAL RESPONSIBILITY FOR AND THE~~ administration of any payments due ~~UNDER THE ADMINISTRATIVE SERVICE PROVIDER CONTRACT~~ from the contracting provider to external providers on behalf of the contracting provider, AS REQUIRED UNDER § 19-712 OF THIS SUBTITLE.

~~(H) THE FINANCIAL AND ADMINISTRATIVE RESPONSIBILITIES OF A HEALTH MAINTENANCE ORGANIZATION UNDER AN ADMINISTRATIVE SERVICE PROVIDER CONTRACT:~~

~~1. ARE NOT LIMITED BY THE VALUE OF THE ASSETS OF A SEGREGATED FUND ESTABLISHED UNDER AN ADMINISTRATIVE SERVICE PROVIDER CONTRACT;~~

~~2. EXIST IRRESPECTIVE OF WHETHER THE CONTRACTING PROVIDER IS INSOLVENT; AND~~