

~~(6) whether the acquisition has the likelihood of creating a significant adverse effect on the availability or accessibility of health care services in the affected community;~~

~~(7) whether the acquisition includes sufficient safeguards to ensure that the affected community will have continued access to affordable health care; and~~

~~(8) whether any management contract under the acquisition is for fair value.~~

~~6.5-303.~~

In determining whether to approve an acquisition of a nonprofit health service plan or a nonprofit health maintenance organization, the Administration shall consider:

(1) the criteria listed in § 6.5-301 of this subtitle; and

(2) whether the acquisition:

(i) is equitable to enrollees, insureds, shareholders, and certificate holders, if any, of the transferor;

(ii) is in compliance with Title 2, Subtitle 6 of the Corporations and Associations Article;

(iii) [is approved by at least two-thirds of the transferor's certificate holders who have voted on the acquisition:

1. in person, by proxy, or by mail; and

2. pursuant to the requirements adopted by the Commissioner regarding notice and procedure; and

(iv)] ensures that the transferee will possess surplus in an amount sufficient to:

1. comply with the surplus required under law; and

2. provide for the security of the transferee's certificate holders and policyholders.

~~SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:~~

~~**Article Health General**~~

~~19-103.~~

~~(e) The purpose of the Commission is to:~~

~~(1) Develop health care cost containment strategies to help provide access to appropriate quality health care services for all Marylanders, after consulting with the Health Services Cost Review Commission;~~