

~~[(e)] (F) (1) Before assessing a civil penalty, the Commissioner shall serve by certified mail, return receipt requested, on the person to be charged a notice that contains:~~

~~(i) the specifications of the charge; and~~

~~(ii) the time and place of a hearing to be held on the charges.~~

~~(2) The Commissioner shall hold a hearing on the charges at least 20 days after the date of mailing the notice.~~

~~(3) The Commissioner or designee of the Commissioner shall conduct a hearing on the charges in accordance with Title 2, Subtitle 2 of this article.~~

~~(4) Subject to Title 2, Subtitle 2 of this article, an appeal may be taken from a final order of the Commissioner to the Circuit Court for Baltimore City.~~

~~[(f)] (G) In addition to any other penalty or remedy under this section, a person that is found to have gained financially from a violation of a provision of this article or a regulation adopted by the Commissioner shall forfeit the gain.~~

~~[(g)] (H) This section does not prevent a person damaged by a director, officer, manager, employee, or agent of a corporation subject to this subtitle from bringing a separate action in a court of competent jurisdiction.~~

14-504.

(a) (1) ~~There is a Maryland Health Insurance Plan Fund.~~

(2) ~~The Fund is a special nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.~~

(3) ~~The Treasurer shall separately hold and the Comptroller shall account for the Fund.~~

(4) ~~The Fund shall be invested and reinvested at the direction of the Board in a manner that is consistent with the requirements of Title 5, Subtitle 6 of this article.~~

(5) ~~Any investment earnings shall be retained to the credit of the Fund.~~

(6) ~~On an annual basis, the Fund shall be subject to an independent actuarial review setting forth an opinion relating to reserves and related actuarial items held in support of policies and contracts.~~

(7) ~~The Fund shall be used only to provide funding for the purposes authorized under this subtitle.~~

(b) ~~The Fund shall consist of:~~

(1) ~~premiums for coverage that the Plan issues;~~

(2) ~~premiums paid by enrollees of the Senior Prescription Drug Program;~~