

[(b) (1) Each health maintenance organization that is authorized to operate under this subtitle is exempted from paying the premium tax imposed under Title 6, Subtitle 1 of the Insurance Article.]

(2) Premiums received by an insurer under policies that provide health maintenance organization benefits are not subject to the premium tax imposed under Title 6, Subtitle 1 of the Insurance Article to the extent:

(i) Of the amounts actually paid by the insurer to a nonprofit health maintenance organization that operates only as a health maintenance organization; or

(ii) The premiums have been paid by that nonprofit health maintenance organization.]

Article - Insurance

6-101.

(a) The following persons are subject to taxation under this subtitle:

(1) a person engaged as principal in the business of writing insurance contracts, surety contracts, guaranty contracts, or annuity contracts;

(2) A HEALTH MAINTENANCE ORGANIZATION AUTHORIZED BY TITLE 19, SUBTITLE 7 OF THE HEALTH - GENERAL ARTICLE;

(3) A MANAGED CARE ORGANIZATION AUTHORIZED BY TITLE 15, SUBTITLE 1 OF THE HEALTH - GENERAL ARTICLE;

[(2)] (4) an attorney in fact for a reciprocal insurer;

[(3)] (5) the Maryland Automobile Insurance Fund; and

[(4)] (6) a credit indemnity company.

(b) The following persons are not subject to taxation under this subtitle:

(1) a nonprofit health service plan corporation that meets the requirements established under §§ 14-106 and 14-107 of this article;

(2) a fraternal benefit society;

(3) [a health maintenance organization authorized by Title 19, Subtitle 7 of the Health - General Article;

(4)] a surplus lines broker, who is subject to taxation in accordance with Title 3, Subtitle 3 of this article;

[(5)] (4) an unauthorized insurer, who is subject to taxation in accordance with Title 4, Subtitle 2 of this article; [or] AND

[(6)] (5) the Short-Term Prescription Drug Subsidy Plan created under Title 15, Subtitle 6 of the Health - General Article.