

(I) [whether] WHETHER or not the Committee [finds] RECOMMENDS FINDING the provider in financial difficulty[.];

(II) WHETHER OR NOT THE COMMITTEE RECOMMENDS IDENTIFYING THE FINANCIAL DIFFICULTY AS INCLUDING A SIGNIFICANT RISK OF FINANCIAL FAILURE IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION; AND

(III) [stating] STATING the REASON OR reasons for its [findings] RECOMMENDATIONS.

(3) The Committee may request one 30-day extension from the Secretary UNDER PARAGRAPHS (1) OR (2) OF THIS SUBSECTION. The Secretary may grant OR DENY the extension.

(d) (1) Within 25 days of being notified of the Committee's ~~RECOMMENDED findings~~ RECOMMENDATIONS, the Department shall consider the ~~RECOMMENDED findings~~ RECOMMENDATIONS of the Committee and make a final determination of WHETHER financial difficulty EXISTS, INCLUDING WHETHER IT FINDS A SIGNIFICANT RISK OF FINANCIAL FAILURE IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION. If the Department determines that the provider is in financial difficulty it shall immediately notify the provider by certified mail, return receipt requested, AND INFORM THE PROVIDER OF WHETHER THE DEPARTMENT HAS DETERMINED THAT THERE IS A SIGNIFICANT RISK OF FINANCIAL FAILURE.

(2) (I) THE PROVIDER SHALL ADVISE ITS SUBSCRIBERS OF THE DEPARTMENT'S DETERMINATION IN A MEETING TO BE HELD BY THE PROVIDER WITH REPRESENTATIVES OF THE SUBSCRIBERS.

(II) THE MEETING SHALL BE HELD WITHIN 10 DAYS OF THE PROVIDER'S RECEIPT OF NOTICE FROM THE DEPARTMENT.

(III) THE PROVIDER SHALL ADVISE THE DEPARTMENT OF THE DATE, TIME, AND LOCATION OF SUCH MEETING.

(e) [Any] A provider notified of financial difficulty by the Department shall prepare and submit to the Department for its approval a 5-year financial plan to correct the causes of the financial difficulty. The financial plan shall be submitted within 60 days of notification. The provider may request one 30-day extension from the Secretary. The Secretary may grant the extension. The Department shall respond to the provider within 60 days of receipt of the proposed plan. The Department may work with the provider to establish the financial plan and may consult with the Financial Review Committee prior to approving the plan. Upon approval the plan shall be implemented. THE PROVIDER SHALL MAKE AVAILABLE TO ITS SUBSCRIBERS COPIES OF ITS APPROVED 5-YEAR PLAN.

(f) The Department may withhold the renewal certificate or withdraw a certificate of registration:

(1) If the provider does not prepare a financial plan;

(2) If the provider is unwilling or unable to prepare a financial plan;