

6. ANY OTHER PENALTIES THAT MAY BE IMPOSED BY THE SECRETARY;

(VI) MEET THE SOLVENCY AND CAPITAL REQUIREMENTS FOR HEALTHCHOICE MANAGED CARE ORGANIZATIONS UNDER THE INSURANCE ARTICLE;

(VII) TO THE EXTENT PRACTICABLE, ALLOW WAIVER ENROLLEES, WHO MEET THE NURSING HOME LEVEL OF CARE, TO SELECT A NURSING HOME, ASSISTED LIVING FACILITY, OR ADULT DAY CARE FACILITY PROVIDED THAT THE NURSING HOME, ASSISTED LIVING FACILITY, OR ADULT DAY CARE FACILITY IS LICENSED BY THE DEPARTMENT AND THE PROVIDER MEETS THE DEPARTMENT-APPROVED CREDENTIALING REQUIREMENTS OF THE COMMUNITY CARE ORGANIZATION;

(VIII) SUBMIT TO THE DEPARTMENT UTILIZATION AND OUTCOME REPORTS AS DIRECTED BY THE DEPARTMENT;

(IX) PROVIDE TIMELY ACCESS TO, AND CONTINUITY OF, HEALTH AND LONG-TERM CARE SERVICES FOR ENROLLEES;

(X) DEMONSTRATE ORGANIZATIONAL CAPACITY TO PROVIDE SPECIAL POPULATION SERVICES, INCLUDING OUTREACH, CASE MANAGEMENT, AND HOME VISITING, DESIGNED TO MEET THE INDIVIDUAL NEEDS OF ALL ENROLLEES;

(XI) PROVIDE ASSISTANCE TO ENROLLEES IN SECURING NECESSARY HEALTH AND LONG-TERM CARE SERVICES; AND

(XII) COMPLY WITH ALL RELEVANT PROVISIONS OF THE FEDERAL BALANCED BUDGET ACT OF 1997 (P.L. 105-33).

(L) A COMMUNITY CARE ORGANIZATION MAY NOT HAVE FACE-TO-FACE OR TELEPHONE CONTACT OR OTHERWISE SOLICIT AN INDIVIDUAL FOR THE PURPOSE OF ENROLLMENT UNDER THE PROGRAM.

(M) (1) IN ARRANGING FOR THE BENEFITS REQUIRED UNDER SUBSECTION (D) OF THIS SECTION, THE COMMUNITY CARE ORGANIZATION SHALL:

(I) A. REIMBURSE NURSING HOMES NOT LESS THAN THE MEDICAID-ESTABLISHED RATE BASED ON THE WAIVER RECIPIENT'S MEDICAL CONDITION PLUS ALLOWABLE ANCILLARY SERVICES, AS ESTABLISHED BY THE DEPARTMENT BASED ON ITS NURSING HOME MEDICAID RATE SETTING METHODOLOGY; OR

B. FOR WAIVER RECIPIENTS THAT WOULD HAVE BEEN PAID BY THE MEDICARE PROGRAM FOR SERVICES PROVIDED, REIMBURSE NURSING HOMES NOT LESS THAN THE APPLICABLE REIMBURSEMENT RATE PAYABLE BY MEDICARE FOR THAT WAIVER RECIPIENT;

(II) REIMBURSE NURSING HOMES IN ACCORDANCE WITH THE DEPARTMENT'S POLICY ON LEAVE OF ABSENCE AS PROVIDED UNDER § 15-117 OF THIS SUBTITLE;