

- (7) willfully fail to comply with a lawful order of the Commissioner.

Article - State Government

6.5-201.

- (b) An application shall include:

- (1) the name of the transferor;
- (2) the name of the transferee;
- (3) the names of any other parties to the acquisition agreement;
- (4) the terms of the proposed acquisition, including the sale price;
- (5) a copy of the acquisition agreement;
- (6) a financial and community impact analysis report from an independent expert or consultant that addresses the criteria in § 6.5-301 of this title; [and]

(7) AN INDEPENDENT VALUATION OF THE NONPROFIT HEALTH SERVICE PLAN ENTITY THAT WAS OBTAINED PRIOR TO THE CONSIDERATION OF ANY BID OR OFFER TO ACQUIRE THE ~~HEALTH CARE~~ NONPROFIT HEALTH ENTITY;

(8) AN ANTITRUST ANALYSIS PREPARED BY AN APPROPRIATE EXPERT;
AND

[(7)](9) any other documents related to the acquisition.

6.5-301.

(b) An acquisition is not in the public interest unless appropriate steps have been taken to:

- (1) ensure that the value of public or charitable assets is safeguarded;
- (2) ENSURE THAT THE VALUE OF PUBLIC OR CHARITABLE ASSETS IS SPENT IN A MANNER THAT CORRESPONDS WITH THE POTENTIAL RISK ASSOCIATED WITH ~~AN~~ THE ACQUISITION;

[(2)](3) ensure that:

(i) the fair value of the public or charitable assets of a nonprofit health service plan or a health maintenance organization will be distributed to the Maryland Health Care Foundation that was established in § 20-502 of the Health - General Article; or

(ii) 1. 40% of the fair value of the public or charitable assets of a nonprofit hospital will be distributed to the Maryland Health Care Foundation that was established in § 20-502 of the Health - General Article; and