

~~(4) A hearing held by the Commissioner to evaluate the financial condition of an insurer under the risk based capital standards set out in Title 4, Subtitle 3 of this article is not required to be open to the public.~~

~~[(b)] (C) (1) The Commissioner shall allow any party to a hearing to:~~

~~(i) appear in person;~~

~~(ii) be represented:~~

~~1. by counsel; or~~

~~2. in the case of an insurer, by a designee of the insurer who:~~

~~A. is employed by the insurer in claims, underwriting, or as otherwise provided by the Commissioner; and~~

~~B. has been given the authority by the insurer to resolve all issues involved in the hearing;~~

~~(iii) be present while evidence is given;~~

~~(iv) have a reasonable opportunity to inspect all documentary evidence and to examine witnesses; and~~

~~(v) present evidence.~~

~~(2) On request of a party, the Commissioner shall issue subpoenas to compel attendance of witnesses or production of evidence on behalf of the party.~~

~~[(e)] (D) The Commissioner shall allow any person that was not an original party to a hearing to become a party by intervention if:~~

~~(1) the intervention is timely; and~~

~~(2) the financial interests of the person will be directly and immediately affected by an order of the Commissioner resulting from the hearing.~~

~~[(d)] (E) (1) Formal rules of pleading or evidence need not be observed at a hearing.~~

~~(2) IN A HEARING IN WHICH THE DIVISION APPEARS, THE RIGHT TO CROSS EXAMINE WITNESSES MAY BE EXERCISED BY:~~

~~(I) THE DIVISION; OR~~

~~(II) THE INSURER WHOSE RATE INCREASE IS THE SUBJECT OF THE HEARING.~~

~~[(e)] (F) (1) On timely written request by a party to a hearing, the Commissioner shall have a full stenographic record of the proceedings made by a competent reporter at the expense of that party.~~

~~(2) If the stenographic record is transcribed, a copy shall be given on request to any other party to the hearing at the expense of that party.~~