

(2)(I) OF THIS SUBSECTION, THE COMMISSIONER SHALL DEFINE BY REGULATION THE STANDARDS REQUIRED FOR A GRIEVANCE TO BE CONSIDERED AN EMERGENCY CASE.

~~(C) A MEMBER OR A HEALTH CARE PROVIDER FILING A COMPLAINT ON BEHALF OF A MEMBER MAY FILE A COMPLAINT WITH THE COMMISSIONER WITHOUT FIRST FILING A GRIEVANCE WITH A CARRIER AND RECEIVING A FINAL DECISION ON THE GRIEVANCE.~~

(C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE CARRIER'S INTERNAL GRIEVANCE PROCESS SHALL BE EXHAUSTED PRIOR TO FILING A COMPLAINT WITH THE COMMISSIONER UNDER THIS SUBTITLE.

(D) (1) (I) A MEMBER OR A HEALTH CARE PROVIDER FILING A COMPLAINT ON BEHALF OF A MEMBER MAY FILE A COMPLAINT WITH THE COMMISSIONER WITHOUT FIRST FILING A GRIEVANCE WITH A CARRIER AND RECEIVING A FINAL DECISION ON THE GRIEVANCE IF THE MEMBER OR THE HEALTH CARE PROVIDER PROVIDES SUFFICIENT INFORMATION AND SUPPORTING DOCUMENTATION IN THE COMPLAINT THAT DEMONSTRATES A COMPELLING REASON TO DO SO.

(II) THE COMMISSIONER SHALL DEFINE BY REGULATION THE STANDARDS THAT THE COMMISSIONER SHALL USE TO DECIDE WHAT DEMONSTRATES A COMPELLING REASON UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(2) SUBJECT TO SUBSECTIONS (B)(2)(II) AND (H) OF THIS SECTION, A MEMBER OR A HEALTH CARE PROVIDER MAY FILE A COMPLAINT WITH THE COMMISSIONER IF THE MEMBER OR THE HEALTH CARE PROVIDER DOES NOT RECEIVE A GRIEVANCE DECISION FROM THE CARRIER ON OR BEFORE THE 30TH WORKING DAY ON WHICH THE GRIEVANCE IS FILED.

(3) WHENEVER THE COMMISSIONER RECEIVES A COMPLAINT UNDER PARAGRAPH (1) OR (2) OF THIS SUBSECTION, THE COMMISSIONER SHALL NOTIFY THE CARRIER THAT IS THE SUBJECT OF THE COMPLAINT WITHIN 7 5 WORKING DAYS AFTER THE DATE THE COMPLAINT IS FILED WITH THE COMMISSIONER.

~~(D)~~ (E) EACH CARRIER SHALL:

(1) FILE FOR REVIEW WITH THE COMMISSIONER AND SUBMIT TO THE HEALTH ADVOCACY UNIT A COPY OF ITS INTERNAL GRIEVANCE PROCESS ESTABLISHED UNDER THIS SUBTITLE; AND

(2) UPDATE THE INITIAL FILING ANNUALLY TO REFLECT ANY CHANGES MADE.

~~(E)~~ (F) EXCEPT FOR AN EMERGENCY CASE UNDER SUBSECTION (B)(2)(I) OF THIS SECTION, AT THE TIME A MEMBER FIRST CONTACTS A CARRIER ABOUT AN ADVERSE DECISION, THE CARRIER SHALL SEND IN WRITING TO THE MEMBER WITHIN 1 DAY 2 WORKING DAYS AFTER THE INITIAL CONTACT:

(1) THE DETAILS OF ITS INTERNAL GRIEVANCE PROCESS AND PROCEDURES UNDER THE PROVISIONS OF THIS SUBTITLE;