

(2) AS PART OF THE REVIEW OF A COMPLAINT, THE COMMISSIONER OR A DESIGNEE OF THE COMMISSIONER MAY CONSIDER ALL OF THE FACTS OF THE CASE AND ANY OTHER EVIDENCE THAT THE COMMISSIONER OR DESIGNEE OF THE COMMISSIONER CONSIDERS APPROPRIATE.

(3) AS REQUIRED UNDER ~~§ 15-10A-02(H)~~ § 15-10A-02(I) OF THIS SUBTITLE, THE CARRIER'S ADVERSE DECISION OR GRIEVANCE DECISION SHALL STATE IN DETAIL IN CLEAR, UNDERSTANDABLE LANGUAGE THE FACTUAL BASES FOR THE DECISION AND REFERENCE THE SPECIFIC CRITERIA AND STANDARDS, INCLUDING INTERPRETIVE GUIDELINES ON WHICH THE DECISION WAS BASED.

(4) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN RESPONDING TO A COMPLAINT, A CARRIER MAY NOT RELY ON ANY BASIS NOT STATED IN ITS ADVERSE DECISION OR GRIEVANCE DECISION.

(II) THE COMMISSIONER MAY ALLOW A CARRIER, A MEMBER, OR A HEALTH CARE PROVIDER FILING A COMPLAINT ON BEHALF OF A MEMBER TO PROVIDE ADDITIONAL INFORMATION AS MAY BE RELEVANT FOR THE COMMISSIONER TO MAKE A FINAL DECISION ON THE COMPLAINT.

(III) THE COMMISSIONER'S USE OF ADDITIONAL INFORMATION MAY NOT DELAY THE COMMISSIONER'S DECISION ON THE COMPLAINT BY MORE THAN 7 WORKING DAYS.

(F) THE COMMISSIONER MAY REQUEST THE MEMBER THAT FILED THE COMPLAINT OR A LEGALLY AUTHORIZED DESIGNEE OF THE MEMBER TO SIGN A CONSENT FORM AUTHORIZING THE RELEASE OF THE MEMBER'S MEDICAL RECORDS TO THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE THAT ARE NEEDED IN ORDER FOR THE COMMISSIONER TO MAKE A FINAL DECISION ON THE COMPLAINT.

15-10A-04.

(A) THE COMMISSIONER SHALL:

(1) NOTWITHSTANDING THE PROVISIONS OF § 15-10A-03(C)(1)(II) OF THIS SUBTITLE, PRIORITIZE FOR A DECISION COMPLAINTS REGARDING PENDING HEALTH CARE SERVICES OVER COMPLAINTS REGARDING SERVICES ALREADY DELIVERED;

~~(2) ORDER PAYMENT FOR ANY MEDICALLY NECESSARY HOSPITAL SERVICES WHENEVER THE COMMISSIONER REVERSES AN ADVERSE DECISION OR GRIEVANCE DECISION PERTAINING TO THE SERVICES OF A HEALTH CARE PROVIDER TO A MEMBER DURING A PERIOD OF HOSPITALIZATION;~~

~~(4)~~ ~~(2)~~ (2) MAKE AND ISSUE IN WRITING A FINAL DECISION ON ALL COMPLAINTS FILED WITH THE COMMISSIONER UNDER THIS SUBTITLE THAT ARE WITHIN THE COMMISSIONER'S JURISDICTION; AND

~~(2)~~ ~~(4)~~ (3) PROVIDE NOTICE IN WRITING TO ALL PARTIES TO A COMPLAINT OF THE OPPORTUNITY AND TIME PERIOD FOR REQUESTING A HEARING TO BE HELD IN ACCORDANCE WITH ~~TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE TO CONTEST A FINAL DECISION OF THE COMMISSIONER MADE AND ISSUED UNDER THIS SUBTITLE § 2-210 OF THIS ARTICLE.~~