

(5) THE DEVELOPER OR MANUFACTURER OF THE PRINCIPAL DRUG, DEVICE, PROCEDURE, OR OTHER THERAPY THAT IS BEING PROPOSED FOR THE MEMBER.

(G) FOR ANY INDEPENDENT REVIEW ORGANIZATION SELECTED BY THE COMMISSIONER UNDER SUBSECTION (A) OF THIS SECTION, THE INDEPENDENT REVIEW ORGANIZATION SHALL HAVE A QUALITY ASSURANCE MECHANISM IN PLACE THAT ENSURES:

(1) THE TIMELINESS AND QUALITY OF THE REVIEWS;

(2) THE QUALIFICATIONS AND INDEPENDENCE OF THE EXPERT REVIEWERS; AND

(3) THE CONFIDENTIALITY OF MEDICAL RECORDS AND REVIEW MATERIALS.

~~(H) (1) THE CARRIER THAT IS THE SUBJECT OF THE COMPLAINT SHALL BE RESPONSIBLE FOR PAYING THE REASONABLE EXPENSES OF THE INDEPENDENT REVIEW ORGANIZATION OR INDEPENDENT MEDICAL EXPERT SELECTED BY THE COMMISSIONER IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION.~~

~~(2) THE COMMISSIONER SHALL:~~

~~(I) REQUEST AND RECEIVE FROM THE INDEPENDENT REVIEW ORGANIZATION OR INDEPENDENT MEDICAL EXPERT A DETAILED ACCOUNT OF THE EXPENSES INCURRED BY THE INDEPENDENT REVIEW ORGANIZATION OR INDEPENDENT MEDICAL EXPERT; AND~~

~~(II) PRESENT THE DETAILED ACCOUNT OF EXPENSES TO THE CARRIER FOR PAYMENT.~~

(2) THE INDEPENDENT REVIEW ORGANIZATION OR INDEPENDENT MEDICAL EXPERT SHALL:

(I) PRESENT TO THE CARRIER FOR PAYMENT A DETAILED ACCOUNT OF THE EXPENSES INCURRED BY THE INDEPENDENT REVIEW ORGANIZATION OR INDEPENDENT MEDICAL EXPERT; AND

(II) PROVIDE A COPY OF THE DETAILED ACCOUNT OF EXPENSES TO THE COMMISSIONER.

~~(3) THE CARRIER THAT IS THE SUBJECT OF A COMPLAINT MAY NOT PAY ANY PERSON ASSOCIATED WITH OR PART OF AN INDEPENDENT REVIEW ORGANIZATION OR INDEPENDENT MEDICAL EXPERT THAT IS USED BY THE COMMISSIONER IN MAKING A FINAL DECISION ON THE COMPLAINT IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION, AND THE PERSON MAY NOT ACCEPT ANY COMPENSATION FOR RENDERING A PROFESSIONAL JUDGMENT TO THE COMMISSIONER IN ADDITION TO THE EXPENSES PAID UNDER PARAGRAPH (1) OF THIS SUBSECTION.~~