

15-10B-10.

(a) A certificate expires on the second anniversary of its effective date unless the certificate is renewed for a 2-year term as provided in this section.

(b) Before the certificate expires, a certificate may be renewed for an additional 2-year term if the applicant:

(1) Otherwise is entitled to the certificate;

(2) Pays to the [Secretary] COMMISSIONER the renewal fee set by the [Secretary] COMMISSIONER through regulation; and

(3) Submits to the [Secretary] COMMISSIONER:

(i) A renewal application on the form that the [Secretary] COMMISSIONER requires; and

(ii) Satisfactory evidence of compliance with any requirement under this subtitle for certificate renewal.

(c) If the requirements of this section are met, the [Secretary] COMMISSIONER shall renew a certificate.

[(d) The Secretary may delegate to the Commissioner the authority to renew a certificate to any health insurer or nonprofit health service plan regulated under the Insurance Article or health maintenance organization issued a certificate of authority in accordance with Subtitle 7 of this title that meets the requirements of this subtitle and all applicable regulations of the Secretary.]

15-10B-11.

(a) (1) The [Secretary] COMMISSIONER shall deny a certificate to any applicant if, upon review of the application, the [Secretary] COMMISSIONER finds that the applicant proposing to conduct utilization review does not:

(i) Have available the services of sufficient numbers of registered nurses, medical records technicians or similarly qualified persons supported and supervised by appropriate physicians to carry out its utilization review activities; and

(ii) Meet any applicable regulations the [Secretary] COMMISSIONER adopts under this subtitle relating to the qualifications of private review agents or the performance of utilization review.

(2) The [Secretary] COMMISSIONER shall deny a certificate to any applicant that does not provide assurances satisfactory to the [Secretary] COMMISSIONER that:

(i) The procedures and policies of the private review agent will protect the confidentiality of medical records in accordance with applicable State and federal laws; and

(ii) The private review agent will be accessible to patients and providers 5 working days a week during normal business hours in this State.