

(2) FOR FRAUD OR MISREPRESENTATION OF THE SMALL EMPLOYER OR THE COVERED INDIVIDUALS OR THEIR REPRESENTATIVES;

(3) FOR NONCOMPLIANCE WITH OTHER REASONABLE PROVISIONS OF THE HEALTH BENEFIT PLAN AS APPROVED BY THE COMMISSIONER;

(4) FOR REPEATED MISUSE, AS DEFINED BY THE COMMISSIONER, OF A PROVIDER NETWORK PROVISION;

(5) WHERE THE CARRIER ELECTS NOT TO RENEW ALL OF ITS HEALTH BENEFIT PLANS ISSUED TO SMALL EMPLOYERS IN THE STATE;

(6) IF THE CARRIER ELECTS NOT TO RENEW THE PARTICULAR HEALTH BENEFIT PLAN FOR ALL SMALL EMPLOYERS IN THE STATE;

(7) IF THE COMMISSIONER FINDS THAT CONTINUATION OF THE COVERAGE WOULD:

(I) NOT BE IN THE BEST INTERESTS OF POLICYHOLDERS OR CERTIFICATE HOLDERS; OR

(II) IMPAIR THE CARRIER'S ABILITY TO MEET ITS CONTRACTUAL OBLIGATIONS; OR

(8) IF THE CARRIER IS A HEALTH MAINTENANCE ORGANIZATION, FOR REASONS STATED IN § 19-725(B) OF THE HEALTH - GENERAL ARTICLE.

(C) WHEN A CARRIER ELECTS NOT TO RENEW ALL HEALTH BENEFIT PLANS IN THE STATE, THE CARRIER:

(1) SHALL GIVE NOTICE OF ITS DECISION TO THE AFFECTED SMALL EMPLOYERS AND THE INSURANCE REGULATORY AUTHORITY OF EACH STATE IN WHICH AN ELIGIBLE EMPLOYEE OR DEPENDENT RESIDES AT LEAST 180 DAYS BEFORE THE EFFECTIVE DATE OF NONRENEWAL;

(2) AT LEAST 30 WORKING DAYS BEFORE THAT NOTICE, SHALL GIVE NOTICE TO THE COMMISSIONER; AND

(3) MAY NOT WRITE NEW BUSINESS FOR SMALL EMPLOYERS IN THE STATE FOR A 5-YEAR PERIOD BEGINNING ON THE DATE OF NOTICE TO THE COMMISSIONER.

(D) WITHIN 7 DAYS FOLLOWING CANCELLATION OR NONRENEWAL OF A HEALTH BENEFIT PLAN, THE CARRIER SHALL SEND WRITTEN NOTICE TO EACH ENROLLED EMPLOYEE OF ITS ACTION AND THE CONVERSION RIGHTS AVAILABLE TO EACH ENROLLED EMPLOYEE UNDER §§ 354T AND 477K OF THIS ARTICLE.

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(A) (1) A CARRIER SHALL ELECT TO BECOME A RISK-ASSUMING CARRIER OR A REINSURING CARRIER.