

(b) (1) If the Commissioner believes that an officer or director of a nonprofit health service plan has engaged in an unsound or unsafe business practice, the Commissioner shall send a warning to that individual.

(2) The Commissioner shall send a copy of the warning:

(i) by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to each director of the nonprofit health service plan; and

(ii) if the nonprofit health service plan is a corporation incorporated in a state other than this State, to the insurance commissioner of the state in which the corporation is incorporated.

(c) (1) If the nonprofit health service plan is incorporated in this State, the Commissioner may remove the officer or director if the Commissioner determines after a hearing that the unsound or unsafe business practice continued after the warning.

(2) A copy of the removal order shall be served on the individual removed and each director of the nonprofit health service plan.

(3) The individual removed is entitled to a hearing under Title 2 of this article.

(4) Any person aggrieved by a final decision of the Commissioner under this section may appeal the decision under § 2-215 of this article.

(F) (1) IF THE ATTORNEY GENERAL HAS REASON TO BELIEVE THAT A NONPROFIT HEALTH SERVICE PLAN IS ENGAGING IN AN UNSOUND OR UNSAFE BUSINESS PRACTICE, THE ATTORNEY GENERAL SHALL NOTIFY THE COMMISSIONER

(2) IF THE COMMISSIONER FAILS TO TAKE ACTION UNDER THIS SECTION WITHIN 60 DAYS AFTER NOTIFICATION BY THE ATTORNEY GENERAL, THE ATTORNEY GENERAL MAY:

(I) INVESTIGATE THE UNSOUND OR UNSAFE BUSINESS PRACTICE;

AND

(II) INITIATE AN ACTION IN CIRCUIT COURT FOR APPROPRIATE RELIEF TO REMEDY THE UNSOUND OR UNSAFE BUSINESS PRACTICE, INCLUDING THE REMOVAL OF AN OFFICER OR DIRECTOR OF THE NONPROFIT HEALTH SERVICE PLAN.

(3) IN THE COURSE OF ANY INVESTIGATION CONDUCTED BY THE ATTORNEY GENERAL, THE ATTORNEY GENERAL MAY:

(I) SUBPOENA WITNESSES;

(II) ADMINISTER OATHS;

(III) EXAMINE AN INDIVIDUAL UNDER OATH;

(IV) COMPEL PRODUCTION OF RECORDS, BOOKS, PAPERS, CONTRACTS, AND OTHER DOCUMENTS; AND