

Article - Insurance

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§14-409.

(a) The Commissioner may suspend or revoke a certificate of authority issued to a dental plan organization under this subtitle if the Commissioner finds that:

(1) the dental plan organization is operating in a manner significantly contrary to that described in §§ 14-403, 14-405, 14-407, and 14-408 of this subtitle;

(2) the dental plan organization issues evidence of coverage that does not comply with § 14-410 of this subtitle;

(3) the dental plan organization can no longer be expected to meet its obligations to enrollees;

(4) the agreements of the dental plan organization with dentists are not sufficient to provide the dental services covered by the dental plan;

(5) the dental plan organization, or authorized person acting on its behalf, has advertised or merchandised its services in an untrue or misleading manner;

(6) the conditions or methods of operation of the dental plan organization make continued operation hazardous to enrollees or the public; or

(7) the dental plan organization has failed to comply with this subtitle or any regulations adopted under this subtitle.

(b) If the Commissioner has cause to believe that grounds exist for the suspension or revocation of a certificate of authority, the Commissioner shall notify the dental plan organization of the suspension or revocation in writing and the grounds.

(c) If the Commissioner suspends the certificate of authority, the dental plan organization may not accept additional enrollees or engage in advertising or solicitation during the period of suspension.

(d) (1) If the Commissioner revokes the certificate of authority, the dental plan organization shall dissolve its structure immediately after the effective date of the order of revocation and may not conduct further business, except as essential to the orderly conclusion of the affairs of the dental plan organization.

(2) By written order, the Commissioner may allow further operation of the dental plan organization if the Commissioner finds that it is in the best interest of enrollees and that enrollees will be afforded the greatest practical opportunity to obtain continuing dental plan coverage.

(e) Instead of or in addition to suspending or revoking a certificate of authority,

the Commissioner may:

(1) impose on the holder a penalty of not less than \$1,000 but not exceeding \$50,000 for each violation of this subtitle; and

(2) require the holder to make restitution to any person who has suffered financial injury because of a violation of this subtitle.

(f) (1) Notwithstanding subsections (c), (d), and (e) of this section, a dental plan organization that has had its certificate of authority suspended or revoked, has been ordered to pay a penalty or make restitution, or has suffered an adverse decision by the Commissioner is entitled to a hearing under § 2-210 of this article.

(2) Hearings and appeals from orders of the Commissioner are governed by §§ 2-203 and 2-210 through 2-215 of this article.

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