§ 58-93-85. Suspension or revocation of license.

(a)   The Commissioner may suspend or revoke a PHP license if the Commissioner finds that a PHP meets any of the following:

(1)   Is operating significantly in contravention of its organizational document, or in a manner contrary to that described in and reasonably inferred from any other information submitted under G.S. 58-93-20, unless amendments to such submissions have been filed with and approved by the Commissioner.

(2)   Is no longer financially responsible and may reasonably be expected to be unable to meet its obligations to enrollees or prospective enrollees.

(3)   Is operating in a manner that would be hazardous to its enrollees or to the State.

(4)   Knowingly or repeatedly fails or refuses to comply with any law or rule applicable to the PHP or with any order issued by the Commissioner after notice and opportunity for a hearing.

(5)   Has knowingly published or made to the Department, to DHHS, or to the public any false statement or report.

(b)   A license shall be suspended or revoked only after compliance with G.S. 58-93-95.

(c)   When a PHP license is suspended, the PHP shall not, during the suspension, enroll any additional enrollees, except newborn children or other newly acquired dependents of existing enrollees, and shall not engage in any advertising or solicitation.

(d)   When a PHP license is revoked, the PHP shall proceed, immediately following the effective date of the order of revocation, to wind up its affairs and shall conduct no further business except as may be essential to the orderly conclusion of the affairs of the PHP. The PHP shall engage in no advertising or solicitation. The Commissioner may, by written order, permit such further operation of the PHP as the Commissioner may find to be in the best interest of enrollees and the State of North Carolina.

(e)   The Commissioner shall consult with the Secretary of DHHS prior to taking any action against a PHP under this section. (2018-49, s. 1(a).)