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**MIA BULLETIN 09-03**

DATE: February 11, 2009  
TO: Presidents, Managed Care Organizations  
RE: Risk Based Capital Applicability for 2008  
CC: Chief Financial Officers, Managed Care Organizations

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On July 5, 2001, the Insurance Commissioner adopted Regulation .02-1 under COMAR 31.12.06 Managed Care Organizations-Financial Compliance Requirements, effective August 20, 2001. This regulation required that effective with the Annual Statement filed for the year ending December 31, 2001, an MCO shall comply with the risk-based capital requirements of the Insurance Article, Title 4, Subtitle 3 of the Annotated Code of Maryland, unless exempted by the Insurance Commissioner. MCOs are required to submit a risk-based capital report in conjunction with the Annual Statement filing for the year ending December 31, 2008. This filing is due March 1, 2009. At the request of the Department of Health and Mental Hygiene, the Insurance Commissioner is granting MCOs an exemption from meeting the risk-based capital requirements for the year ending December 31, 2008. In this regard, the Insurance Commissioner will not take action against an MCO based solely on the information contained in the risk-based capital report.

Any questions about this bulletin should be directed to the Examination and Auditing Section at (410) 468-2119.

RALPH S. TYLER  
INSURANCE COMMISSIONER

By: Signature on file with original document  
Lester C. Schott  
Associate Commissioner  
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