§ 4402. Health maintenance organizations; application for certificate of authority. 1. No person or groups of persons may operate a health maintenance organization or issue a contract to an enrollee for membership in a comprehensive health services plan without first obtaining a certificate of authority from the commissioner.

2. In order to receive such a certificate of authority, a person or persons, hereinafter designated as the applicant, intending to operate a health maintenance organization shall file an application for such certificate on such form as the commissioner shall prescribe, and shall provide to the satisfaction of the commissioner the following:

(a) a copy of each of the basic organizational documents and agreements of the applicant and all participating entities, including all contracts and agreements relating to the provision of comprehensive health services;

(b) a copy of the bylaws, rules and regulations on internal governing documents of the applicant;

(c) a list of the names, addresses and official positions of the persons comprising the applicant and all entities referred to in paragraph (a) other than those possessing a valid operating certificate under the provisions of article twenty-eight of this chapter, including all owners of record or beneficial, all members of the governing body, the officers and directors in the case of a corporation, and the partners or members in the case of a partnership or corporation, and the agent for service of process;

(d) a statement of the financial condition of the organization, including, if appropriate, an income statement, balance sheet and projected sources and uses of funds;

(e) a statement generally describing the proposed operation of the health maintenance organization as to the location of its facilities, the type and quantity of health care personnel engaged to provide services, its quality assurance mechanism, its grievance procedure, participating hospitals and such other data as may be required by the commissioner;

(f) a copy of each enrollee contract filed with and approved by the superintendent pursuant to section forty-four hundred six of this article; and

(g) such other information as may be required by the commissioner to make the determinations required in section forty-four hundred three of this article.