§ 4405. Health maintenance organizations; powers. The powers of health maintenance organizations, in addition to any other powers conferred by the laws under which such organization is constructed, shall include:

1. subject to the provisions of article twenty-eight of this chapter, the purchase, lease, construction, renovation, operation, or maintenance of hospitals, medical facilities, or both, and their ancillary equipment, and such property as may reasonably be required for its principal office or for such other purposes as may be necessary in the transaction of the business of the organization;

2. the furnishing of comprehensive health care services on a prepaid basis through hospitals and other health care providers which are under contract with, otherwise associated with, or employed by the health maintenance organization;

3. the marketing, enrollment and administration of a comprehensive health services plan;

4. the contracting with an insurer licensed in this state;

5. the offering, in addition to health care services, of benefits covering out-of-area or emergency services;

6. the provision of additional health services not included in the comprehensive health services plan on a fee-for-service basis, the provision of health services on a fee-for-service basis to persons who are not members of the enrolled population;

7. the entering into contracts in furtherance of the purposes of this article;

8. the acceptance from government agencies, private agencies, corporations, associations, groups, individuals, or other persons, payments covering all or part of the cost of health care services provided to enrollees, in accordance with the provisions of the plan and this chapter; and

9. the indemnification of enrollees for the services of health care providers, other than primary care practitioners responsible for supervising and coordinating the care of enrollees, not participating in a plan to the extent authorized in section forty-four hundred six of this article; and

10. notwithstanding any other provision of law, to advertise the comprehensive health services which it renders and the plan relating to the rendition of such services, provided, however, that all information disseminated to the public shall be strictly factual in nature and accurate in all respects and shall not in any way be misleading to the public.