**§ 4913. Conflict of interest.** 1. No external appeal agent or officer, director, or management employee thereof; or clinical peer reviewer employed or engaged thereby to conduct any external appeal pursuant to this title, shall have any material professional affiliation, material familial affiliation, material financial affiliation, or other affiliation prescribed pursuant to regulation, with any of the following:

(a) the health care plan;

(b) any officer, director, or management employee of the health care plan;

(c) any health care provider, physician's medical group, independent practice association, or provider of pharmaceutical products or services or durable medical equipment, proposing to provide or supply the health service;

(d) the facility at which the health service would be provided;

(e) the developer or manufacturer of the principal health service which is the subject of the appeal; or

(f) the enrollee whose health care service is the subject of the appeal, or the enrollee's designee.

2. Notwithstanding the provisions of subdivision one of this section, the commissioner shall promulgate regulations to minimize any conflict of interest where such conflict may be unavoidable.