

The former limitation, "unless the context requires otherwise", is deleted as unnecessary because the full title of any other administration or department appears in the text when used in this revised article.

Former Art. 48A, § 5(2), which defined "Department" to mean the State Insurance Department of Maryland, is deleted as obsolete.

Former Art. 48A, § 492(d), which defined "Department" to mean "the Insurance Department, the Insurance Commissioner or his authorized representative", is deleted as obsolete and as misleading because the "Department" does not mean the "Commissioner".

Defined term: "Insurance" § 1-101

(C) AGENT.

(1) "AGENT" MEANS A PERSON THAT, FOR COMPENSATION, SOLICITS, PROCURES, NEGOTIATES, OR MAKES INSURANCE CONTRACTS, INCLUDING CONTRACTS FOR NONPROFIT HEALTH SERVICE PLANS, DENTAL PLAN ORGANIZATIONS, AND HEALTH MAINTENANCE ORGANIZATIONS, OR THE RENEWAL OR CONTINUANCE OF THESE INSURANCE CONTRACTS FOR INSURERS ISSUING THE INSURANCE CONTRACTS.

(2) "AGENT" DOES NOT INCLUDE:

(I) AN INDIVIDUAL WHO PERFORMS CLERICAL, STENOGRAPHIC, OR SIMILAR OFFICE DUTIES WHILE EMPLOYED BY AN AGENT OR INSURER, INCLUDING A CLERICAL EMPLOYEE, OTHER THAN A CLERICAL EMPLOYEE OF AN INSURER, WHO TAKES INSURANCE INFORMATION OR RECEIVES PREMIUMS IN THE AGENT'S OFFICE, IF THE EMPLOYEE'S COMPENSATION DOES NOT VARY WITH THE NUMBER OF APPLICATIONS OR AMOUNT OF PREMIUMS;

(II) A REGULAR SALARIED OFFICER OR EMPLOYEE OF AN INSURER WHO GIVES HELP TO OR FOR A QUALIFIED AGENT, IF THE OFFICER OR EMPLOYEE IS NOT PAID A COMMISSION OR OTHER COMPENSATION THAT DIRECTLY DEPENDS ON THE AMOUNT OF BUSINESS OBTAINED; OR

(III) IF NOT PAID A COMMISSION, A PERSON THAT OBTAINS AND FORWARDS INFORMATION FOR:

1. GROUP INSURANCE COVERAGE;
2. ENROLLING INDIVIDUALS UNDER GROUP INSURANCE COVERAGE; OR
3. ISSUING CERTIFICATES UNDER GROUP INSURANCE COVERAGE.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 48A, § 166(a).