

Article 101 – Workmen’s Compensation16A.

(a) (1) Any employer who does not, with the approval of the Commission, voluntarily insure the payment of the compensation by one of the methods designated in § 16(1), (2), or (3) of this article must furnish satisfactory proof to the Commission of [his] THE EMPLOYER’S financial ability to pay the compensation [himself], in which case the Commission may, at any time and from time to time in its discretion, require the deposit with the Commission of securities as are accepted by the Circuit Court for Baltimore City for the investment of trust funds and in an amount or amounts to be determined by the Commission, to secure the liability of the employer to pay the compensation specified in this article. The Commission may require the employer to obtain and file with the Commission a policy of insurance protecting the employer against liability for [workmen’s] WORKERS’ compensation benefits resulting from a catastrophe or disaster, other than from an act of war. If required by the Commission, the policy of insurance shall be in the amount and shall contain the provisions as in the judgment of the Commission are required to provide security for the payment of compensation and medical treatment. In order to be informed as to the continued financial responsibility of any employer, the Commission shall require annual reports or at any other times as the Commission may deem necessary or advisable, and may examine the employer under oath or make other examination of [his] THE EMPLOYER’S business as the Commission may determine. If [he] THE EMPLOYER should fail to furnish satisfactory proof, or give bond, or deposit securities as required by the Commission, or if [he] THE EMPLOYER should at any time fail to render satisfactory reports to the Commission or otherwise satisfy the Commission of the employer’s continued financial ability to pay the compensation, [he] THE EMPLOYER shall be subject to the provisions of § 16(1) or (2) of this article, and shall be required by the Commission to insure as provided in § 16(1) of this article, unless [he] THE EMPLOYER, at once, insures voluntarily as provided in § 16(2) of this article.

(2) The Commission shall assess each self-insurer or group of self-insured counties or municipalities an annual sum of not more than \$500 which shall be used for actuarial studies and audits to determine the financial solvency.

(3) For the purpose of this section “employer” includes a group of counties, a group of municipalities, or a group composed of both counties and municipalities as prescribed by regulations of the Commission.

(4) (i) The [Workmen’s] WORKERS’ Compensation Commission shall develop regulations prescribing requirements and procedures for groups of counties, groups of municipalities, or groups composed of both counties and municipalities seeking to establish joint self-insurance coverage. However, to qualify as a group for purposes of this section a group must prove to the satisfaction of the Commission that it would receive annual gross premiums in an amount of not less than \$250,000.

(ii) The [Workmen’s] WORKERS’ Compensation Commission shall provide for advance premium discounts that are competitive with private insurance advance premium discounts.