

Approved May 29, 1990.

CHAPTER 439

(Senate Bill 222)

AN ACT concerning

Health Insurance – Application Forms – Preexisting Conditions

FOR the purpose of requiring the Insurance Commissioner to disapprove or withdraw previous approval of health insurance application forms that are filed with the Commissioner if the application forms inquire about any preexisting condition for which the applicants have not received medical care or advice from a ~~physician~~ licensed health care provider during a certain period prior to the date of application or if the application forms inquire about certain other medical procedures conducted prior to a certain period preceding the date of application; and generally relating to the disapproval of health insurance application forms by the Insurance Commissioner.

BY repealing and reenacting, with amendments,

Article 48A – Insurance Code

Section 376

Annotated Code of Maryland

(1986 Replacement Volume and 1989 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 48A – Insurance Code

376.

(a) The Commissioner shall disapprove any form filed under § 375 of this subtitle or withdraw any previous approval if the forms do not meet the requirements of subsection (b) of this section. Furthermore, the Commissioner may set forth reasonable rules and regulations consistent with the requirements of subsection (c) of this section in order to establish minimum benefits and coverages as may be required.

(b) The Commissioner shall disapprove any form filed, or withdraw any previous approval, if the form:

(1) Is in any respect in violation of or does not comply with this article; or

(2) Contains or incorporates by reference, where the incorporation is otherwise permissible, any inconsistent, ambiguous, or misleading clauses, or exceptions and conditions which deceptively affect the risk purported to be assumed in the general coverage of the contract; or