

(D) THIS SECTION MAY NOT OPERATE TO EXTEND THE NUMBER OF DAYS OF HOSPITALIZATION OFFERED UNDER § 468C(B)(2)(IV) TO THE EXTENT THOSE DAYS OF HOSPITALIZATION HAVE BEEN UTILIZED UNDER THE ORIGINAL POLICY.

468DB.

[An insurer may not provide compensation to its agents or other producers which is greater than the renewal compensation which the insurer would have paid on an existing policy, if the existing policy is replaced by a new policy with the same insurer or insurer group, where the new policy benefits are substantially similar to the benefits under the old policy, and the old policy was issued by the same insurer or insurer group.]

(A) (1) IN THIS SECTION, "COMPENSATION" INCLUDES PECUNIARY OR NONPECUNIARY REMUNERATION OF ANY KIND RELATING TO THE SALE OR RENEWAL OF THE POLICY OR CERTIFICATE, INCLUDING BUT NOT LIMITED TO, BONUSES, GIFTS, AND FINDERS' FEES.

(2) IN THIS SECTION, "COMPENSATION" DOES NOT INCLUDE NONCASH PRIZES AND AWARDS.

(B) AN INSURER OR OTHER ENTITY MAY PROVIDE COMMISSION OR OTHER COMPENSATION TO AN AGENT OR OTHER REPRESENTATIVE FOR THE SALE OF A MEDICARE SUPPLEMENT POLICY OR CERTIFICATE ONLY IF THE FIRST YEAR COMMISSION OR OTHER FIRST YEAR COMPENSATION IS NO MORE THAN 200 PERCENT OF THE COMMISSION OR OTHER COMPENSATION PAID FOR SELLING OR SERVICING THE POLICY OR CERTIFICATE IN THE SECOND YEAR OR PERIOD.

(C) THE COMMISSION OR OTHER COMPENSATION PROVIDED IN SUBSEQUENT RENEWAL YEARS MUST BE THE SAME AS THAT PROVIDED IN THE SECOND YEAR OR PERIOD AND MUST BE PROVIDED FOR A REASONABLE NUMBER OF RENEWAL YEARS.

(D) (1) NO ENTITY SHALL PROVIDE COMPENSATION TO ITS AGENTS OR OTHER PRODUCERS AND NO AGENT OR PRODUCER SHALL RECEIVE COMPENSATION GREATER THAN THE RENEWAL COMPENSATION PAYABLE BY THE REPLACING INSURER ON RENEWAL POLICIES OR CERTIFICATES IF AN EXISTING POLICY OR CERTIFICATE IS REPLACED.

(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY WHERE THE BENEFITS OF THE NEW POLICY OR CERTIFICATE ARE CLEARLY AND SUBSTANTIALLY GREATER THAN THE BENEFITS UNDER THE REPLACED POLICY.

468H.

(a) (1). In this section the following words have the meanings indicated.