

Section 354-IIAnnotated 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

~~223.~~

~~(b) (1) No person shall make or permit any unfair discrimination between individuals of the same class and of essentially the same hazard in the amount of premium, policy fees, or rates charged for any policy or contract of health insurance or in the benefits payable thereunder, or in any of the terms, or conditions of such contract, or in any other manner whatever.~~

~~(2) Notwithstanding any other provisions in this section, an insurer may not make or permit any differential in ratings, premium payments or dividends for any reason based on the sex of an applicant or policyholder unless there is actuarial justification for the differential.~~

~~(3) (i) Notwithstanding any other provisions in this section, an insurer may not make or permit any differential in ratings, premium payments or dividends for health insurance contracts for any reason based on the blindness or other physical handicap or disability of an applicant or policyholder.~~

~~(ii) Actuarial justification for the differential may be considered for a physical handicap or disability other than blindness or hearing impairment.~~

~~(4) An insurer may not make or permit any differential in ratings, premium payments, or dividends in connection with a health insurance contract solely because the applicant or policyholder has the sickle cell trait, thalassemia minor trait, hemoglobin C trait, Tay Sachs trait, or any genetic trait which is harmless within itself, unless there is actuarial justification for it.~~

~~(5) AN INSURER, INCLUDING A NONPROFIT HEALTH SERVICE PLAN, MAY NOT LIMIT OR DENY BENEFITS TO AN INSURED OR CERTIFICATE HOLDER BECAUSE THE INSURED OR CERTIFICATE HOLDER VIOLATES ANY PROVISION OF THE MARYLAND VEHICLE LAWS SPECIFIED IN § 27-101(C) OF THE TRANSPORTATION ARTICLE.~~

Article — Transportation

~~27-101.~~

~~(e) Any person who is convicted of a violation of any of the provisions of the following sections of this article is subject to a fine of not more than \$500 or imprisonment for not more than 2 months or both:~~