

~~FOR DEFENSE OF CLAIMS AS WELL AS COMPENSATION FOR DAMAGES AND THE COMMISSION MAY, WITHIN THE LIMITS OF APPROPRIATIONS OF THE FUNDED INSURANCE PROGRAM, ENGAGE NECESSARY CLAIMS INVESTIGATORS AND ADJUSTORS AND PROVIDE FOR THE DEFENSE AND SETTLEMENT OF CLAIMS AND PAYMENT OF LAWFUL JUDGMENTS.~~

~~(D) THE COMMISSION MAY COOPERATE WITH AND ENTER INTO AGREEMENTS WITH MONTGOMERY COUNTY OR PRINCE GEORGE'S COUNTY, OR BOTH, FOR THE PURPOSE OF OBTAINING AND PROVIDING COMPREHENSIVE INSURANCE COVERAGE IN THE MOST ECONOMICAL MANNER FOR MAJOR TYPES OF INSURANCE PROTECTION INCLUDING, BUT NOT LIMITED TO, PUBLIC LIABILITY, GROUP HEALTH, LIFE, HOSPITALIZATION AND DISABILITY, REAL AND PERSONAL PROPERTY, AND WORKER'S COMPENSATION. PROVIDED, HOWEVER, THAT NOTHING HEREIN SHALL AUTHORIZE SELF INSURANCE FOR GROUP HEALTH, LIFE, AND HOSPITALIZATION INSURANCE.~~

(A) THE COMMISSION SHALL ESTABLISH AN ADEQUATE COMPREHENSIVE INSURANCE PROGRAM:

(1) TO COMPENSATE FOR INJURY TO OR DEATH OF PERSONS OR DAMAGE TO PROPERTY, RESULTING FROM NEGLIGENCE, MALPRACTICE OF ANY OTHER TYPE OF CIVIL OR TORTIOUS ACTION OF THE COMMISSION, OR OF ITS MEMBERS, STAFF, EMPLOYEES, AND AGENTS ACTING WITHIN THE SCOPE OF THEIR DUTIES, ACTING WITHOUT MALICE, AND IN THE ABSENCE OF GROSS NEGLIGENCE; AND

(2) TO PROVIDE PROTECTION FOR PROPERTY OF THE COMMISSION AND FOR OFFICIALS AND EMPLOYEES ACTING WITHIN THE SCOPE OF THEIR DUTIES, INCLUDING A COMPREHENSIVE WORKERS' COMPENSATION PROGRAM. THE COMMISSION MAY PURCHASE SUCH OTHER LIABILITY INSURANCE AS IT DEEMS NECESSARY.

(B) THE COMMISSION MAY ESTABLISH A PROGRAM OF GROUP HEALTH, LIFE, HOSPITALIZATION AND DISABILITY INSURANCE BY THE PURCHASE OF INSURANCE COVERAGE FROM INSURANCE COMPANIES AUTHORIZED TO DO BUSINESS IN THE STATE OF MARYLAND.

(C) ALL OF THE INSURANCE PROGRAM REQUIRED UNDER SUBSECTION (A) AND ONLY THE DISABILITY INSURANCE PORTION AUTHORIZED UNDER SUBSECTION (B) MAY BE PROVIDED:

(1) BY THE PURCHASE OF INSURANCE COVERAGE FROM INSURANCE COMPANIES AUTHORIZED TO DO BUSINESS IN THE STATE OF MARYLAND;

(2) BY A SELF-INSURANCE PROGRAM; OR

(3) BY A COMBINATION OF PURCHASED INSURANCE COVERAGE AND SELF-INSURANCE. IF A SELF-INSURANCE PROGRAM IS ESTABLISHED AND FUNDED TO COVER ALL OR PART OF THE INSURANCE REQUIRED FOR THE COMPREHENSIVE PROGRAM, THE COMMISSION SHALL ADOPT REGULATIONS FOR THE ADMINISTRATION OF SUCH A PROGRAM, AND THE FUNDING OF THE PROGRAM SHALL BE A BUDGET ITEM. WHATEVER INSURANCE PROGRAM IS ESTABLISHED SHALL PROVIDE FOR DEFENSE OF CLAIMS AS WELL AS COMPENSATION FOR DAMAGES AND THE COMMISSION MAY, WITHIN THE LIMITS OF APPROPRIATIONS OF THE INSURANCE PROGRAM, ENGAGE NECESSARY CLAIMS INVESTIGATORS