

(6) FAILING TO MAKE A GOOD FAITH ATTEMPT PROMPTLY, FAIRLY, OR EQUITABLY TO SETTLE CLAIMS FOR WHICH LIABILITY HAS BECOME REASONABLY CLEAR;

(7) COMPELLING INSUREDS TO INSTITUTE LITIGATION TO RECOVER AMOUNTS DUE UNDER AN INSURANCE POLICY BY OFFERING SUBSTANTIALLY LESS THAN THE AMOUNTS ULTIMATELY RECOVERED IN ACTIONS BROUGHT BY SUCH INSUREDS;

(8) ATTEMPTING TO SETTLE A CLAIM FOR LESS THAN THE AMOUNT TO WHICH A REASONABLE PERSON WOULD EXPECT TO BE ENTITLED AFTER STUDYING WRITTEN OR PRINTED ADVERTISING MATERIAL ACCOMPANYING, OR MADE PART OF, AN APPLICATION;

(9) ATTEMPTING TO SETTLE A CLAIM ON THE BASIS OF AN APPLICATION WHICH IS ALTERED WITHOUT NOTICE TO, OR THE KNOWLEDGE OR CONSENT OF, THE INSURED;

(10) FAILING TO INCLUDE WITH CLAIMS PAID TO INSUREDS OR BENEFICIARIES STATEMENTS SETTING FORTH THE COVERAGE UNDER WHICH PAYMENTS ARE BEING MADE;

(11) MAKING KNOWN TO INSUREDS OR CLAIMANTS A POLICY OF APPEALING FROM ARBITRATION AWARDS IN ORDER TO COMPEL INSUREDS OR CLAIMANTS TO ACCEPT A SETTLEMENT OR COMPROMISE LESS THAN THE AMOUNT AWARDED IN ARBITRATION;

(12) DELAYING AN INVESTIGATION OR PAYMENT OF A CLAIM BY REQUIRING A CLAIMANT OR A CLAIMANT'S LICENSED PHYSICIAN HEALTH CARE PROVIDER TO SUBMIT A PRELIMINARY CLAIM REPORT IN ADDITION TO SUBSEQUENT SUBMISSION OF FORMAL PROOF OF LOSS FORMS, CONTAINING SUBSTANTIALLY THE SAME INFORMATION;

(13) FAILING TO SETTLE CLAIMS PROMPTLY WHENEVER LIABILITY IS REASONABLY CLEAR UNDER ONE PORTION OF A POLICY, IN ORDER TO INFLUENCE SETTLEMENTS UNDER OTHER PORTIONS OF THE POLICY; OR

(14) FAILING PROMPTLY TO PROVIDE A REASONABLE EXPLANATION FOR THE BASIS FOR DENIAL OF A CLAIM OR THE OFFER OF A COMPROMISE SETTLEMENT.

(E) (1) THE COMMISSIONER MAY IMPOSE A PENALTY OF UP TO \$500 FOR EACH VIOLATION OF SUBSECTION (C) OF THIS SECTION, OR OF ANY REGULATION PROMULGATED UNDER SUBSECTION (C) OF THIS SECTION.

(2) THE PENALTY FOR A VIOLATION OF SUBSECTION (D) OF THIS SECTION SHALL BE AS PROVIDED IN §§ 12, 55, 55A, AND 215 OF THIS ARTICLE.

(3) (1) UPON FINDING OF A VIOLATION OF THIS SECTION THE COMMISSIONER MAY REQUIRE THAT RESTITUTION BE MADE BY AN INSURER OR NONPROFIT HEALTH SERVICE PLAN TO ANY CLAIMANT WHO HAS SUFFERED ACTUAL ECONOMIC DAMAGE AS A RESULT OF A VIOLATION OF THIS SECTION.