

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 PHYSICIAN LICENSED 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) (I) 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.

(II) RESTITUTION SHALL BE LIMITED TO THE AMOUNT OF ACTUAL ECONOMIC DAMAGE SUSTAINED, SUBJECT TO THE LIMITS OF ANY APPLICABLE INSURANCE POLICY.

(F) (1) (I) THIS SECTION PROVIDES ADMINISTRATIVE REMEDIES ONLY.