

~~NOW--EXIST--OR--HEREAFTER--BE--ENACTED--FOR--PURPOSES--SIMILAR--TO--THE
PURPOSES--OF--THIS--SUBTITLE.~~

604.

(A) (1) ANY APPLICANT OR AFFECTED INSURER MAY APPEAL TO THE GOVERNING--COMMITTEE BOARD OF GOVERNORS OF THE ASSOCIATION;

(2) A DECISION OF THE GOVERNING--COMMITTEE BOARD OF GOVERNORS MAY BE APPEALED TO THE COMMISSIONER WITHIN 30 DAYS AFTER THE DECISION OF THE GOVERNING--COMMITTEE BOARD OF GOVERNORS.

(B) ALL ORDERS, DECISIONS, AND FINDINGS OF THE COMMISSIONER MADE UNDER THIS SUBTITLE ARE SUBJECT TO JUDICIAL REVIEW IN ACCORDANCE WITH § 242B OF THIS ARTICLE.

605.

THERE IS NO LIABILITY ON THE PART OF, AND NO CAUSE OF ACTION OF ANY NATURE SHALL ARISE AGAINST MEMBER INSURERS, THE ASSOCIATION, THE GOVERNING--COMMITTEE BOARD OF GOVERNORS, THEIR AGENTS OR EMPLOYEES, OR THE COMMISSIONER OR HIS AUTHORIZED REPRESENTATIVES FOR STATEMENTS MADE IN ANY INSPECTIONS, EXAMINATIONS, HEARINGS, REPORTS AND COMMUNICATIONS CONCERNING ELIGIBILITY OR UNDERWRITING STANDARDS REGARDING PERSONS OR ORGANIZATIONS IN CONNECTION WITH THE OPERATIONS OF THIS PROGRAM AND THE POOL.

606.

(1) NOTWITHSTANDING ANY PROVISION OF THIS SUBTITLE, THE ASSOCIATION SHALL BE REQUIRED MAY DECLINE TO PROVIDE INSURANCE TO A COMMERCIAL ENTITY ONLY TO THE EXTENT TO WHICH THE ASSOCIATION CAN OBTAIN IF, IN THE BUSINESS JUDGMENT OF THE ASSOCIATION, THE ASSOCIATION CANNOT REASONABLY PROVIDE THE INSURANCE WITHOUT OBTAINING ACCEPTABLE REINSURANCE FOR THE COVERAGE PROVIDED.

(2) ANY COMMERCIAL ENTITY DENIED COVERAGE BY THE ASSOCIATION UNDER THIS SECTION MAY:

(I) APPEAL THE DECISION OF THE ASSOCIATION TO THE COMMISSIONER; AND

(II) REQUEST A HEARING UNDER §§ 35 THROUGH 40 OF THIS ARTICLE.

607.

THIS SUBTITLE DOES NOT APPLY TO:

(1) PROPERTY AND HOMEOWNER'S INSURANCE;

(2) MEDICAL MALPRACTICE INSURANCE; AND

(3) MOTOR VEHICLE INSURANCE--; AND