

- 2. A dental plan organization as defined in § 581 of this article; and
- 3. A surplus line insurer.

(b) (1) The chief executive officer of an insurer shall immediately provide written notice that the insurer is impaired to the Commissioner and all members of the board of directors or the trustees of the insurer if:

- (i) The chief executive officer of the insurer knows that the insurer is impaired; and
- (ii) The chief executive officer has been unable to remedy the impairment for a period of 60 days.

(2) If an officer, director, or trustee knows that an insurer is impaired, the officer, director, or trustee shall immediately notify the chief executive officer of the impairment.

(c) If a person knows that the person's actions will result in or contribute to the impairment of an insurer, the person may not:

- (1) Conceal property belonging to an insurer;
- (2) Transfer or conceal the person's own property or property belonging to an insurer in contemplation of any proceeding pursuant to Subtitle 10 of this article;
- (3) Conceal, destroy, mutilate, alter, or falsify any document that relates to the property of an insurer;
- (4) Withhold any document from a receiver, trustee, or other officer of a court entitled to its possession pursuant to Subtitle 10 of this article; or
- (5) Give, obtain, or receive anything of value for acting or forbearing to act in any proceeding pursuant to Subtitle 10 of this article.

(d) (1) Any person who violates subsection (b) of this section shall be subject to a civil penalty of not more than \$50,000 in addition to any other applicable penalties in this article.

(2) Any person who violates subsection (c) of this section is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$50,000 or imprisonment for a period of not more than 3 years or both in addition to any other applicable penalties in this article.

(3) The Commissioner may impose the penalties specified in § 215 of this article on persons found in violation of subsection (b) or (c) of this section.

(e) Any notification provided to the Commissioner under this section shall be given confidential treatment in accordance with § 499 of this article.

(F) THE PROVISIONS OF SUBSECTIONS (D) AND (E) SHALL APPLY TO ANY NOTICE PROVIDED TO THE COMMISSIONER UNDER § 360C OF THIS ARTICLE.