

361.

(A) (1) A PERSON MAY NOT ENGAGE IN THE BUSINESS OF OPERATING A NONPROFIT HEALTH SERVICE PLAN WITHOUT FIRST HAVING PROCURED A LICENSE FROM THE COMMISSIONER, AS REQUIRED BY THIS SUBTITLE.

(2) ANY PERSON WHO VIOLATES THIS SUBSECTION SHALL BE GUILTY OF A MISDEMEANOR AND, ON CONVICTION SHALL BE SUBJECT TO A FINE OF NOT MORE THAN \$50,000 FOR EACH VIOLATION.

(B) (1) A PERSON MAY NOT:

(I) VIOLATE ANY PROVISION OF THIS SUBTITLE; OR

(II) MAKE ANY WILLFULLY FALSE STATEMENT IN ANY WRITTEN DOCUMENT REQUIRED BY THIS SUBTITLE TO BE FILED WITH THE COMMISSIONER.

(2) ANY PERSON WHO VIOLATES THIS SUBSECTION SHALL BE GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN \$5,000 FOR EACH VIOLATION OR IMPRISONMENT NOT EXCEEDING 1 YEAR, OR BOTH.

(C) ANY PERSON WHO WILLFULLY MAKES A FALSE STATEMENT WHILE UNDER OATH ADMINISTERED BY THE COMMISSIONER OR A DESIGNEE OF THE COMMISSIONER AT ANY INVESTIGATION OR HEARING CONDUCTED BY THE COMMISSIONER OR A DESIGNEE OF THE COMMISSIONER SHALL BE DEEMED TO BE GUILTY OF PERJURY ~~AND SHALL BE PROCEEDED AGAINST AND PUNISHED AS PROVIDED BY THE STATUTES OF THIS STATE IN RELATION TO THE CRIME OF PERJURY.~~

361B.

(A) All decisions and findings of the Commissioner REGARDING RATES AND FORMS made under [the provisions] § 356 of this subtitle are subject to review by the court in accordance with the provisions of § 242B of this article.

(B) ALL OTHER DECISIONS AND FINDINGS OF THE COMMISSIONER REGARDING A CORPORATION SUBJECT TO THIS SUBTITLE ARE SUBJECT TO REVIEW BY THE COURT IN ACCORDANCE WITH § 40 OF THIS ARTICLE.

492.

As used in this subtitle, the following terms shall have the respective meanings hereinafter set forth unless the context shall otherwise require:

(e) (1) "Insurance company or insurer" means a company qualified and licensed by the Department to transact the business of insurance in this State.

(2) "INSURANCE COMPANY OR INSURER" INCLUDES A NONPROFIT HEALTH SERVICE PLAN LICENSED UNDER SUBTITLE 20 OF THIS ARTICLE.