

(5) When credit is originally extended under paragraph (1) of this subsection to a consumer borrower, as defined in § 12-901 of the Commercial Law Article, the lender shall inform the borrower that:

(i) the borrower may pay the recordation tax under paragraphs (1) and (2) or paragraph (4) of this subsection; and

(ii) if the borrower elects to pay the recordation tax as additional debt is incurred under paragraph (2) of this subsection, the consumer borrower is responsible for payment of the additional tax and any penalty provided by § 14-1012 of this article.

(6) (I) THIS PARAGRAPH APPLIES TO CONSTRUCTION LOANS FOR OVER \$100,000 FOR WHICH THE TOTAL AMOUNT OF SECURED DEBT HAS NOT BEEN INCURRED AT THE TIME OF RECORDING OR FILING THE INSTRUMENT OF WRITING.

(II) AT THE TIME THAT ADDITIONAL DEBT IS INCURRED, THE LENDER SHALL ISSUE A DRAFT PAYABLE TO THE APPROPRIATE COLLECTOR OF THE RECORDATION TAX IN THE AMOUNT OF THE RECORDATION TAX DUE UNDER THIS SUBSECTION.

(III) THE FUNDS FOR THE DRAFT MAY BE PROCEEDS FROM THE ADDITIONAL DEBT THAT IS INCURRED OR FROM THE BORROWER.

(IV) UNTIL THE RECORDATION IS PAID AS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE BORROWER SHALL REMAIN LIABLE FOR THE RECORDATION TAX THAT IS DUE ON THE ADDITIONAL DEBT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1994.

Approved May 26, 1994.

CHAPTER 647

(House Bill 1222)

AN ACT concerning

Health Insurance - Coverage for Off-Label Uses of Drugs

FOR the purpose of prohibiting contracts or policies of health insurance that provide coverage for drugs from excluding coverage of a drug for a particular indication on the ground that the drug has not been approved by the federal Food and Drug Administration for that indication if the drug is recognized for treatment of the indication in certain reference compendia or certain medical literature; ~~requiring the Secretary of Health and Mental Hygiene to appoint a certain panel of certain medical experts to review off label uses of drugs and to advise the Secretary about certain off label use; authorizing the State Insurance Commissioner to direct certain persons to make payments for certain off label drug uses requiring the Secretary of Health and Mental Hygiene to appoint a certain panel of certain medical~~