

Defined terms: "Commissioner" § 1-101

"Health insurance" § 1-101

"Insurance" § 1-101

"Policy" § 1-101

"Premium" § 1-101

12-206. APPLICATIONS FOR LIFE OR HEALTH INSURANCE OR ANNUITIES.

(A) AS EVIDENCE.

(1) THIS SUBSECTION DOES NOT APPLY TO INDUSTRIAL LIFE INSURANCE POLICIES.

(2) UNLESS A COMPLETE COPY OF THE APPLICATION FOR THE ISSUANCE OF A LIFE INSURANCE OR HEALTH INSURANCE POLICY OR ANNUITY CONTRACT IS ATTACHED TO OR OTHERWISE MADE A PART OF THE POLICY OR CONTRACT WHEN ISSUED, THE APPLICATION IS NOT ADMISSIBLE IN EVIDENCE IN A PROCEEDING RELATING TO THE POLICY OR CONTRACT.

(B) REQUEST FOR COPY OF APPLICATION WHEN POLICY REINSTATED OR RENEWED.

(1) IF AN INSURED, BENEFICIARY, OR ASSIGNEE OF A REINSTATED OR RENEWED LIFE INSURANCE OR HEALTH INSURANCE POLICY THAT IS DELIVERED IN THE STATE MAKES A WRITTEN REQUEST TO THE INSURER FOR A COPY OF ANY APPLICATION FOR REINSTATEMENT OR RENEWAL, THE INSURER SHALL DELIVER OR MAIL THE COPY WITHIN 30 DAYS AFTER THE REQUEST IS RECEIVED AT THE INSURER'S HOME OFFICE OR BRANCH OFFICE.

(2) IF A REQUESTED COPY IS NOT DELIVERED OR MAILED, THE INSURER MAY NOT INTRODUCE THE APPLICATION IN EVIDENCE IN ANY PROCEEDING BASED ON OR INVOLVING THE POLICY, ITS REINSTATEMENT, OR ITS RENEWAL.

(3) IF THE REQUEST IS FROM A BENEFICIARY, THE TIME FOR THE INSURER TO PROVIDE A COPY DOES NOT BEGIN TO RUN UNTIL AFTER THE INSURER RECEIVES EVIDENCE THAT SATISFIES THE INSURER OF THE BENEFICIARY'S VESTED INTEREST IN THE POLICY OR CONTRACT.

(C) ALTERATION OF APPLICATION.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN ALTERATION OF A WRITTEN APPLICATION FOR A LIFE INSURANCE OR HEALTH INSURANCE POLICY OR ANNUITY CONTRACT MAY NOT BE MADE BY A PERSON OTHER THAN THE APPLICANT WITHOUT THE APPLICANT'S WRITTEN CONSENT.

(2) AN INSURER MAY MAKE AN INSERTION FOR ADMINISTRATIVE PURPOSES ONLY IN A WAY THAT INDICATES CLEARLY THAT THE INSERTION IS NOT TO BE ASCRIBED TO THE APPLICANT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 372.