

(1) WITHIN 30 DAYS AFTER A HEARING OR ANY REHEARING OR REARGUMENT OF MATTERS INVOLVED IN THE HEARING, THE COMMISSIONER SHALL ISSUE AN ORDER THAT COVERS MATTERS INVOLVED IN THE HEARING AND IN ANY REHEARING OR REARGUMENT.

(2) THE COMMISSIONER SHALL SERVE A COPY OF THE ORDER ON THE SAME PERSONS THAT WERE SERVED NOTICE OF THE HEARING.

(C) CONTENTS.

THE ORDER SHALL CONTAIN:

(1) A CONCISE STATEMENT OF THE FACTS FOUND BY THE COMMISSIONER;

(2) THE COMMISSIONER'S CONCLUSIONS FROM THE FACTS; AND

(3) THE INFORMATION REQUIRED BY § 2-204(B) OF THIS SUBTITLE.

(D) EFFECT.

THE ORDER MAY:

(1) AFFIRM, MODIFY, OR NULLIFY AN ACTION ALREADY TAKEN; OR

(2) CONSTITUTE THE TAKING OF NEW ACTION WITHIN THE SCOPE OF THE NOTICE OF THE HEARING.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 39.

The Insurance Article Review Committee notes, for consideration by the General Assembly, that, while subsection (a) of this section refers to a "rehearing" and a "reargument", there are no provisions in the Code about requesting a rehearing or reargument or about the procedure for a rehearing or reargument. (COMAR 09.30.65.09 provides that "[u]pon request made to the Insurance Commissioner, within 15 days from the date of an order in a quasi-judicial case, the Commissioner may agree to rehear any matter originally heard before a hearing officer.") The General Assembly may wish to consider filling this gap in the Code. See also § 2-215(d)(2) of this subtitle, which authorizes an appeal within 30 days after service of an order denying rehearing or reargument.

Defined terms: "Commissioner" § 1-101

"Person" § 1-101

2-215. JUDICIAL REVIEW.

(A) AUTHORIZED APPEALS.

AN APPEAL UNDER THIS SUBTITLE MAY BE TAKEN ONLY FROM:

(1) AN ORDER RESULTING FROM A HEARING; OR