

(B) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO LIFE INSURANCE, LIFE ANNUITY, OR DISABILITY INSURANCE POLICIES.

(C) AN INSURER, NONPROFIT HEALTH SERVICE PLAN, OR HEALTH MAINTENANCE ORGANIZATION MAY NOT:

(1) USE ~~GENETIC INFORMATION~~ A GENETIC TEST OR THE RESULTS OF A GENETIC TEST TO REJECT, DENY, LIMIT, CANCEL, REFUSE TO RENEW, INCREASE THE RATES OF, AFFECT THE TERMS OR CONDITIONS OF, OR OTHERWISE AFFECT A HEALTH INSURANCE POLICY OR CONTRACT;

(2) REQUEST OR REQUIRE ~~THE COLLECTION OF GENETIC INFORMATION~~ A GENETIC TEST FOR THE PURPOSE OF DETERMINING WHETHER OR NOT TO ISSUE OR RENEW HEALTH BENEFITS COVERAGE; OR

(3) RELEASE ~~GENETIC INFORMATION~~ THE RESULTS OF A GENETIC TEST WITHOUT THE PRIOR WRITTEN AUTHORIZATION OF THE INDIVIDUAL FROM WHOM THE INFORMATION WAS DERIVED TEST WAS OBTAINED.

(E) (D) AN INDIVIDUAL WHO IS INJURED BY A VIOLATION OF THIS SECTION MAY RECOVER IN A COURT OF COMPETENT JURISDICTION:

(1) ~~EQUITABLE RELIEF, INCLUDING A RETROACTIVE ORDER DIRECTING THE INSURER, NONPROFIT HEALTH SERVICE PLAN, OR HEALTH MAINTENANCE ORGANIZATION TO PROVIDE HEALTH INSURANCE TO THE INDIVIDUAL UNDER THE SAME TERMS AND CONDITIONS THAT WOULD HAVE APPLIED HAD THE VIOLATION NOT OCCURRED, AND~~

(2) ACTUAL DAMAGES.

(1) FOR PURPOSES OF THIS SUBSECTION, §§ 55, 55A, 234A, AND 234C OF THIS ARTICLE APPLY TO A NONPROFIT HEALTH SERVICE PLAN AND A HEALTH MAINTENANCE ORGANIZATION.

(2) THE COMMISSIONER MAY ISSUE AN ORDER UNDER §§ 55, 55A, 234A, AND 234C OF THIS ARTICLE IF THE COMMISSIONER FINDS A VIOLATION OF THIS SECTION.

#### **Article – Health – General**

19-706.

(k) THE PROVISIONS OF ARTICLE 48A, § 223.1 OF THE CODE SHALL APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.

(L) (1) A health maintenance organization shall:

(i) Classify an obstetrician/gynecologist as a primary care physician; or

(ii) Permit a woman to receive an annual visit to an in-network obstetrician/gynecologist for routine gynecological care without requiring the woman to first visit a primary care provider.