

(2) REFUSE TO PAY A CLAIM, CANCEL, OR OTHERWISE TERMINATE A POLICY OF LIFE INSURANCE OR HEALTH INSURANCE OR A HEALTH BENEFITS PLAN;

(3) INCREASE RATES FOR LIFE INSURANCE, HEALTH INSURANCE, OR A HEALTH BENEFITS PLAN; OR

(4) IN LIFE INSURANCE POLICIES AND HEALTH BENEFITS PLANS, ADD A SURCHARGE, APPLY A RATING FACTOR, OR USE ANY OTHER UNDERWRITING PRACTICE THAT ADVERSELY TAKES INTO ACCOUNT THE INFORMATION.

~~(C) AN INSURER IS NOT SUBJECT TO CIVIL LIABILITY FOR ANY CAUSE OF ACTION ARISING FROM INJURY TO OR DEATH OF AN INDIVIDUAL FOR WHOM A LIFE INSURANCE POLICY IS ISSUED AND WHO SUBSEQUENTLY SUFFERS DOMESTIC VIOLENCE OR ABUSE OR WHO DIES AS A RESULT OF DOMESTIC VIOLENCE OR ABUSE.~~

~~(D) THIS SECTION DOES NOT REQUIRE AN INSURER TO MAKE A PAYMENT FOR ANY LOSS UNDER A LIFE INSURANCE POLICY THAT WOULD DIRECTLY BENEFIT A PERSON WHO WILLFULLY CAUSED AN INJURY THAT GAVE RISE TO THE LOSS.~~

(C) IF AN INSURER ACTS IN GOOD FAITH, THE INSURER IS NOT SUBJECT TO TORT LIABILITY FOR A CAUSE OF ACTION ARISING FROM THE INSURER'S LAWFUL ISSUANCE OF AND LAWFUL COMPLIANCE WITH A LIFE INSURANCE POLICY FOR AN INSURED WHO SUBSEQUENTLY SUFFERS DOMESTIC VIOLENCE OR ABUSE.

(D) THIS SECTION DOES NOT REQUIRE AN INSURER:

(1) TO MAKE A PAYMENT TO AN INDIVIDUAL WHO WILLFULLY CAUSED AN INJURY THAT GAVE RISE TO A LOSS UNDER A LIFE INSURANCE POLICY; OR

(2) TO ISSUE, WITHOUT THE CONSENT OF THE PROPOSED INSURED, LIFE INSURANCE OR DISABILITY INCOME INSURANCE TO AN APPLICANT KNOWN TO HAVE ABUSED THE PROPOSED INSURED.

(E) THIS SECTION MAY NOT BE INTERPRETED TO PRECLUDE AN INSURER FROM USING MENTAL OR PHYSICAL CONDITIONS, REGARDLESS OF CAUSE, IN DETERMINING THE ELIGIBILITY, RATE, OR UNDERWRITING CLASSIFICATION OF THE APPLICANT OR INSURED.

Article - Health - General

19-706.

(g) The provisions of Article 48A, [§ 230A] §§ 230A AND 234D of the Code shall apply to health maintenance organizations.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1996.

Approved April 30, 1996.