

CHAPTER 132

(House Bill 39)

AN ACT concerning

Insurance – Unfair Trade Practices – Discrimination Based on Domestic Violence

FOR the purpose of prohibiting insurers, nonprofit health service plans, and health maintenance organizations from taking certain actions or engaging in certain practices related to underwriting, issuance or renewal of, or payment of claims on life or health insurance policies or health benefit plans based on certain information related to domestic violence; establishing immunity from certain actions for insurers under certain circumstances; defining certain terms; providing for the construction of certain provisions of this Act; granting certain powers to the Insurance Commissioner; and generally relating to a prohibition against discrimination by certain entities based on domestic violence.

BY repealing and reenacting, with amendments,

Article 48A – Insurance Code

Section 234C

Annotated Code of Maryland

(1994 Replacement Volume and 1995 Supplement)

BY adding to

Article 48A – Insurance Code

Section 234D

Annotated Code of Maryland

(1994 Replacement Volume and 1995 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19-706(g)

Annotated Code of Maryland

(1990 Replacement Volume and 1995 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 48A – Insurance Code

234C.

If the Commissioner in a specific instance shall make a finding that an insurer has violated [§ 234A or § 234B,] § 234A, § 234B, OR § 234D, he may, in addition to the exercise of any power granted elsewhere in this article, order the insurer to accept the risk, or accept the business, as the case may be. All hearings and proceedings conducted under this section and §§ 234A [and 234B], 234B, AND 234D of this article, as well as any