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

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

(C) LIABILITY OF INSURER.

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 POLICY OF LIFE INSURANCE ON AN INSURED WHO SUBSEQUENTLY SUFFERS ABUSE OR IS A VICTIM OF DOMESTIC VIOLENCE.

(D) EFFECT OF SECTION.

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 POLICY OF LIFE INSURANCE; 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) INTERPRETATION OF SECTION.

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

REVISOR'S NOTE: This section formerly was Art. 48A, § 234D.

The only changes are in style.

Defined terms: "Health insurance" § 1–101
"Insurer" § 1–101
"Life insurance" § 1–101
"Policy" § 1–101

27–505. VIOLATIONS; JUDICIAL REVIEW.

(A) ORDER TO ACCEPT RISK OR BUSINESS AFTER VIOLATION.

IF THE COMMISSIONER FINDS THAT AN INSURER HAS VIOLATED § 27–501, § 27–503, OR § 27–504 OF THIS SUBTITLE, THE COMMISSIONER, IN ADDITION TO ANY OTHER POWER GRANTED BY THIS ARTICLE, MAY ORDER THE INSURER TO ACCEPT THE RISK, OR ACCEPT THE BUSINESS, AS APPROPRIATE.

(B) JUDICIAL REVIEW.