

COMMISSIONER, THE FRAUD DIVISION, OR THE APPROPRIATE FEDERAL, STATE, OR LOCAL LAW ENFORCEMENT AUTHORITIES.

(2) AN INDEPENDENT AGENT SHALL MEET THE REPORTING REQUIREMENT OF THIS SUBSECTION BY REPORTING THE SUSPECTED INSURANCE FRAUD IN WRITING TO THE FRAUD DIVISION.

(B) INFORMATION NOT SUBJECT TO PUBLIC INSPECTION.

IN ADDITION TO ANY PROTECTION PROVIDED UNDER § 10-618 OF THE STATE GOVERNMENT ARTICLE, ANY INFORMATION, DOCUMENTATION, OR OTHER EVIDENCE PROVIDED UNDER THIS SECTION BY AN INSURER, ITS EMPLOYEES, PRODUCERS, OR AGENTS TO THE COMMISSIONER, THE FRAUD DIVISION, OR A FEDERAL, STATE, OR LOCAL LAW ENFORCEMENT AUTHORITY IN CONNECTION WITH AN INVESTIGATION OF SUSPECTED INSURANCE FRAUD IS NOT SUBJECT TO PUBLIC INSPECTION FOR AS LONG AS THE COMMISSIONER, FRAUD DIVISION, OR LAW ENFORCEMENT AUTHORITY CONSIDERS THE WITHHOLDING TO BE NECESSARY TO COMPLETE AN INVESTIGATION OF THE SUSPECTED FRAUD OR TO PROTECT THE PERSON INVESTIGATED FROM UNWARRANTED INJURY.

(C) CIVIL LIABILITY.

A PERSON IS NOT SUBJECT TO CIVIL LIABILITY FOR A CAUSE OF ACTION BY VIRTUE OF REPORTING SUSPECTED INSURANCE FRAUD IF:

(1) THE REPORT WAS MADE TO THE COMMISSIONER, FRAUD DIVISION, OR AN APPROPRIATE FEDERAL, STATE, OR LOCAL LAW ENFORCEMENT AUTHORITY; AND

(2) THE PERSON THAT REPORTED THE SUSPECTED INSURANCE FRAUD ACTED IN GOOD FAITH WHEN MAKING THE REPORT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 233B(a).

In subsection (a)(1) of this section, the reference to reporting suspected insurance fraud to the "Commissioner" is added for consistency with subsections (b) and (c)(1) of this section.

Also in subsection (a)(1) of this section, the former reference to "violations of § 233 of this subtitle" is deleted as included in the definition of "insurance fraud".

In subsection (b) of this section, the references to a law enforcement "authority" are substituted for the former references to a law enforcement "agency" for consistency throughout this section.

Defined terms: "Agent" § 1-101
"Authorized insurer" § 1-101
"Commissioner" § 1-101
"Fraud Division" § 27-801
"Independent agent" § 1-101