

(2) IF THE COMMISSIONER DISAPPROVES AN ANTIFRAUD PLAN, THE AUTHORIZED INSURER SHALL SUBMIT A NEW ANTIFRAUD PLAN TO THE COMMISSIONER WITHIN 60 DAYS AFTER THE DATE OF DISAPPROVAL.

(E) EXAMINATION TO DETERMINE COMPLIANCE WITH ANTIFRAUD PLAN.

DURING AN EXAMINATION UNDER § 2-205 OF THIS ARTICLE, THE COMMISSIONER SHALL EXAMINE THE AUTHORIZED INSURER'S PROCEDURES TO DETERMINE WHETHER THE AUTHORIZED INSURER IS COMPLYING WITH ITS ANTIFRAUD PLAN.

(F) PUBLIC INSPECTION OF PLAN.

THE COMMISSIONER MAY WITHHOLD FROM PUBLIC INSPECTION ANY PART OF AN ANTIFRAUD PLAN FOR AS LONG AS THE COMMISSIONER CONSIDERS THE WITHHOLDING TO BE IN THE PUBLIC INTEREST.

(G) REGULATIONS.

THE COMMISSIONER SHALL ADOPT REGULATIONS THAT ESTABLISH MINIMUM STANDARDS FOR ANTIFRAUD PLANS REQUIRED TO BE FILED UNDER THIS SECTION.

(H) VIOLATIONS OF SUBTITLE.

IT IS A VIOLATION OF THIS SUBTITLE IF THE COMMISSIONER FINDS THAT AN AUTHORIZED INSURER HAS FAILED TO:

- (1) FILE AN ANTIFRAUD PLAN;
- (2) FILE A REVISED ANTIFRAUD PLAN AFTER DISAPPROVAL BY THE COMMISSIONER OF THE INITIAL ANTIFRAUD PLAN; OR
- (3) COMPLY WITH THE ANTIFRAUD PLAN FILED BY THE AUTHORIZED INSURER.

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

In subsection (a)(1) of this section, the former phrase "[o]n or before December 31, 1991" is deleted as obsolete.

Also in subsection (a)(1) of this section, the former reference to "implement[ing]" an insurance antifraud plan is deleted as included in the reference to institut[ing]" an antifraud plan.

In subsections (b)(1)(i), (d)(1) and (2), (e), and (h) of this section, the references to an "authorized" insurer are added to clarify that authorized insurers are required to have antifraud plans.

In subsection (c)(1) of this section, new language is added to state expressly that each authorized insurer must file its antifraud plan with the Commissioner.

The Insurance Article Review Committee notes, for consideration by the