

(2) THE STANDARDS RELATE TO:

(I) THE SUBMISSION BY THE APPLICANT OR POLICYHOLDER OF A FALSE OR FRAUDULENT CLAIM OR APPLICATION OR OTHER ACTION THAT WOULD CONSTITUTE A VIOLATION OF SUBTITLE 8 OF THIS TITLE; OR

(II) THE CONVICTION OF THE INSURED OF A CRIME THAT INCREASES THE HAZARD INSURED AGAINST.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 240L.

Defined terms: "Insurer" § 1-101

"Policy" § 1-101

27-909. USE OF GENETIC TESTS.

(A) "GENETIC TEST" DEFINED.

IN THIS SECTION, "GENETIC TEST" MEANS A LABORATORY TEST OF HUMAN CHROMOSOMES OR DNA THAT IS USED TO IDENTIFY THE PRESENCE OR ABSENCE OF INHERITED OR CONGENITAL ALTERATIONS IN GENETIC MATERIAL THAT ARE ASSOCIATED WITH DISEASE OR ILLNESS.

(B) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO LIFE INSURANCE POLICIES, ANNUITY CONTRACTS, OR DISABILITY INSURANCE POLICIES.

(C) IN GENERAL.

AN INSURER, NONPROFIT HEALTH SERVICE PLAN, OR HEALTH MAINTENANCE ORGANIZATION MAY NOT:

(1) USE A GENETIC TEST OR THE RESULTS OF A GENETIC TEST TO REJECT, DENY, LIMIT, CANCEL, REFUSE TO RENEW, INCREASE THE RATES OF, AFFECT THE TERMS OR CONDITIONS OF, OR OTHERWISE AFFECT A HEALTH INSURANCE POLICY OR CONTRACT;

(2) REQUEST OR REQUIRE A GENETIC TEST FOR THE PURPOSE OF DETERMINING WHETHER OR NOT TO ISSUE OR RENEW HEALTH BENEFITS COVERAGE; OR

(3) RELEASE THE RESULTS OF A GENETIC TEST WITHOUT THE PRIOR WRITTEN AUTHORIZATION OF THE INDIVIDUAL FROM WHOM THE TEST WAS OBTAINED.

(D) EFFECT OF VIOLATION OF SECTION.

(1) FOR PURPOSES OF THIS SUBSECTION, §§ 4-113, 4-114, 27-501, AND 27-505 OF THIS ARTICLE APPLY TO NONPROFIT HEALTH SERVICE PLANS AND HEALTH MAINTENANCE ORGANIZATIONS.