

PRACTICE THAT IS UNFAIR, UNREASONABLE, OR OTHERWISE INCONSISTENT WITH THIS SUBTITLE, THE COMMISSIONER MAY ISSUE A WRITTEN ORDER THAT SPECIFIES THE WAYS IN WHICH THE ACT OR PRACTICE IS UNFAIR, UNREASONABLE, OR OTHERWISE INCONSISTENT WITH THIS SUBTITLE AND REQUIRES THAT THE ACT OR PRACTICE BE DISCONTINUED.

(C) STATISTICS OR RECOMMENDATIONS.

(1) AN INSURER THAT MAKES ITS OWN FILINGS OR A RATING ORGANIZATION MAY NOT SUPPORT ITS FILINGS BY STATISTICS OR ADOPT RATE MAKING RECOMMENDATIONS PROVIDED TO IT BY AN ADVISORY ORGANIZATION THAT HAS FAILED TO COMPLY WITH:

(I) THIS SECTION; OR

(II) AN ORDER OF THE COMMISSIONER ISSUED UNDER SUBSECTION (B) OF THIS SECTION THAT INVOLVES THE STATISTICS OR RECOMMENDATIONS.

(2) IF THE COMMISSIONER FINDS THAT AN INSURER OR RATING ORGANIZATION HAS VIOLATED THIS SUBSECTION, THE COMMISSIONER MAY ISSUE AN ORDER THAT REQUIRES THAT THE VIOLATION BE DISCONTINUED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 242(1)(2) through (4).

Defined terms: "Advisory organization" § 11-101

"Commissioner" § 1-101

"Insurer" § 1-101

"Rate" § 11-101

"Rating organization" § 11-101

11-222. GROUPS ENGAGED IN JOINT UNDERWRITING OR JOINT REINSURANCE.

(A) APPLICABILITY OF SUBTITLE.

EACH GROUP, ASSOCIATION, OR OTHER ORGANIZATION OF INSURERS THAT ENGAGES IN JOINT UNDERWRITING OR JOINT REINSURANCE IS SUBJECT TO THIS SUBTITLE WITH RESPECT TO ITS JOINT UNDERWRITING OR JOINT REINSURANCE ACTIVITIES.

(B) UNFAIR OR UNREASONABLE ACTIVITIES OR PRACTICES.

IF, AFTER A HEARING, THE COMMISSIONER FINDS THAT AN ACTIVITY OR PRACTICE OF A GROUP, ASSOCIATION, OR OTHER ORGANIZATION THAT ENGAGES IN JOINT UNDERWRITING OR JOINT REINSURANCE IS UNFAIR, UNREASONABLE, OR OTHERWISE INCONSISTENT WITH THIS SUBTITLE, THE COMMISSIONER MAY ISSUE A WRITTEN ORDER THAT SPECIFIES THE WAYS IN WHICH THE ACTIVITY OR PRACTICE IS UNREASONABLE, UNFAIR, OR OTHERWISE INCONSISTENT WITH THIS SUBTITLE AND REQUIRES THAT THE ACTIVITY OR PRACTICE BE DISCONTINUED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 242(m).