

(I) ENGAGED IN GROSS, WILLFUL, AND CONTINUED OVERCHARGING FOR A PROCEDURE, OPERATION, OR SERVICE; OR

(II) FILED FALSE STATEMENTS FOR COLLECTION OF FEES FOR SERVICES THAT WERE NOT RENDERED.

(B) SAME — BY PERSON DEFENDING ACTION.

IF A NONPROFIT HEALTH SERVICE PLAN IS DENIED RELIEF IN AN ACTION UNDER THIS SECTION, THE PERSON AGAINST WHOM THE ACTION WAS BROUGHT MAY RECOVER THE COSTS AND EXPENSES REASONABLY INCURRED BY THE PERSON IN DEFENDING THE ACTION.

(C) ADDITIONAL RIGHTS AND REMEDIES NOT LIMITED.

THIS SECTION DOES NOT LIMIT ANY ADDITIONAL RIGHTS OR REMEDIES THAT A NONPROFIT HEALTH SERVICE PLAN MAY HAVE AT LAW OR IN EQUITY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 361D.

In the introductory language of subsection (a) of this section, the reference to a "person authorized to provide health care in the State" is substituted for the former reference to a "health care provider". The definition of "health care provider" in former Art. 48A, § 361D(a) was broader than the definition of that term in § 14-101 of this subtitle. Therefore, the definition of "health care provider" in former Art. 48A, § 361D(a) is deleted. Consequently, in subsections (a)(1) and (2) and (b) of this section, the references to a "person" are substituted for the former references to a "health care provider" and a "provider" for consistency.

In subsection (a)(1)(i) of this section, the cross-reference to "Title 15 of this article" is added for accuracy. Title 15 of this article contains provisions on benefits and payments applicable to nonprofit health service plans.

Defined term: "Person" § 1-101

14-106. RESERVED.

14-107. RESERVED.

PART II. CERTIFICATES OF AUTHORITY.

14-108. CERTIFICATE OF AUTHORITY REQUIRED.

A CORPORATION SUBJECT TO THIS SUBTITLE MAY NOT ISSUE CONTRACTS FOR THE RENDERING OF HEALTH CARE SERVICES TO SUBSCRIBERS UNLESS THE COMMISSIONER HAS ISSUED A CERTIFICATE OF AUTHORITY TO THE CORPORATION AUTHORIZING IT TO DO SO.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Art. 48A, § 355(a).