

"Commissioner" § 1-101

"Insurer" § 1-101

"Person" § 1-101

14-140. PROHIBITED ACTS; CRIMINAL PENALTIES.

(A) OPERATING WITHOUT CERTIFICATE OF AUTHORITY.

(1) A PERSON MAY NOT ENGAGE IN THE BUSINESS OF OPERATING A NONPROFIT HEALTH SERVICE PLAN UNLESS THE PERSON HAS A CERTIFICATE OF AUTHORITY ISSUED BY THE COMMISSIONER UNDER THIS SUBTITLE.

(2) A PERSON THAT VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$50,000 FOR EACH VIOLATION.

(B) VIOLATIONS OF SUBTITLE; WILLFUL FALSE STATEMENTS.

(1) A PERSON MAY NOT:

(I) VIOLATE A PROVISION OF THIS SUBTITLE; OR

(II) MAKE A WILLFULLY FALSE STATEMENT IN A WRITTEN DOCUMENT REQUIRED BY THIS SUBTITLE TO BE FILED WITH THE COMMISSIONER.

(2) A PERSON THAT VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000 FOR EACH VIOLATION OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

(C) FALSE STATEMENT UNDER OATH.

A PERSON THAT WILLFULLY MAKES A FALSE STATEMENT WHILE UNDER AN OATH ADMINISTERED BY THE COMMISSIONER OR DESIGNEE OF THE COMMISSIONER AT AN INVESTIGATION OR HEARING CONDUCTED BY THE COMMISSIONER OR DESIGNEE OF THE COMMISSIONER IS GUILTY OF PERJURY.

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

As to the substitution of the reference to a "certificate of authority" for the former reference to a "license" in subsection (a)(1) of this section, see the General Revisor's Note to this subtitle.

Defined terms: "Certificate of authority" § 1-101

"Commissioner" § 1-101

"Person" § 1-101

GENERAL REVISOR'S NOTE TO SUBTITLE:

Throughout this subtitle, former references to the term "license" are deleted as unnecessary in light of the use of the defined term "certificate of authority". A nonprofit health service plan operates in the State under a certificate of authority issued by the Commissioner. Consequently, references to a corporation "authorized" under this subtitle