

EACH PROVISION SHALL BE PRECEDED INDIVIDUALLY BY THE APPLICABLE CAPTION SHOWN OR, AT THE OPTION OF THE INSURER, BY AN APPROPRIATE INDIVIDUAL OR GROUP CAPTION OR SUBCAPTION THAT THE COMMISSIONER APPROVES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, §§ 439, 452, and 464.

In the introductory language of subsection (a) of this section, the reference to each policy "of health insurance" is added to clarify the applicability of this provision.

Also in the introductory language of subsection (a) of this section, the former reference to each policy that is delivered or issued for delivery "to any person" in the State is deleted as implicit.

In subsection (a)(1) of this section, the reference to the "exact language" of each provision is substituted for the former references to "the words in which the same appear" for clarity.

In subsections (a)(2)(ii) and (b) of this section, the former references to the "option" of the insurer are deleted as surplusage.

In subsection (a)(2)(ii) of this section, the reference to "individual items" is substituted for the former reference to a "unit" for clarity and to conform to the terminology of the revised articles of the Code, which generally use the term "unit" to refer to governmental bodies.

Also in subsection (a)(2)(ii) of this section, the former reference to an "ambiguous" policy is deleted as included in the reference to an "uncertain" policy. Similarly, the former reference to an "abstruse" policy is deleted as unnecessary in light of the reference to an "unintelligible" policy.

Defined terms: "Commissioner" § 1-101

"Insurer" § 1-101

"Person" § 1-101

"Policy" § 1-101

15-203. RIGHT TO REFUSE RENEWAL.

OTHER THAN A POLICY OF ACCIDENT ONLY INSURANCE, EACH POLICY OF HEALTH INSURANCE IN WHICH THE INSURER RESERVES THE RIGHT TO REFUSE RENEWAL ON AN INDIVIDUAL BASIS SHALL CONTAIN A PROVISION, ENDORSEMENT, OR RIDER THAT PROVIDES IN SUBSTANCE:

(1) THAT, SUBJECT TO THE RIGHT TO TERMINATE THE POLICY ON NONPAYMENT OF PREMIUM WHEN DUE, THE RIGHT TO REFUSE RENEWAL MAY NOT BE EXERCISED SO AS TO TAKE EFFECT BEFORE THE RENEWAL DATE OCCURRING ON, OR AFTER AND NEAREST, EACH ANNIVERSARY OF THE POLICY;

(2) THAT A REFUSAL TO RENEW SHALL BE WITHOUT PREJUDICE TO ANY CLAIM THAT ORIGINATES WHILE THE POLICY IS IN EFFECT;