

- Defined terms: "Agent" § 1-101
- "Health insurance" § 1-101
- "Insurer" § 1-101
- "Policy" § 1-101
- "Premium" § 1-101

15-211. NOTICE OF CLAIM.

(A) IN GENERAL.

EACH POLICY OF HEALTH INSURANCE SHALL CONTAIN THE FOLLOWING PROVISION:

"NOTICE OF CLAIM: WRITTEN NOTICE OF CLAIM MUST BE GIVEN TO THE INSURER WITHIN TWENTY (20) DAYS AFTER THE OCCURRENCE OR COMMENCEMENT OF ANY LOSS COVERED BY THE POLICY, OR AS SOON THEREAFTER AS IS REASONABLY POSSIBLE. NOTICE GIVEN BY OR ON BEHALF OF THE INSURED OR THE BENEFICIARY TO THE INSURER AT (INSERT THE LOCATION OF SUCH OFFICE AS THE INSURER MAY DESIGNATE FOR THE PURPOSE), OR TO ANY AUTHORIZED AGENT OF THE INSURER, WITH INFORMATION SUFFICIENT TO IDENTIFY THE INSURED, SHALL BE DEEMED NOTICE TO THE INSURER."

(B) OPTIONAL PROVISION.

IN A POLICY THAT PROVIDES A LOSS-OF-TIME BENEFIT THAT MAY BE PAYABLE FOR AT LEAST 2 YEARS, AN INSURER MAY INSERT THE FOLLOWING PROVISION BETWEEN THE FIRST AND SECOND SENTENCES OF THE PROVISION SET FORTH IN SUBSECTION (A) OF THIS SECTION:

"SUBJECT TO THE QUALIFICATIONS SET FORTH BELOW, IF THE INSURED SUFFERS LOSS OF TIME ON ACCOUNT OF DISABILITY FOR WHICH INDEMNITY MAY BE PAYABLE FOR AT LEAST TWO YEARS, HE SHALL, AT LEAST ONCE IN EVERY SIX (6) MONTHS AFTER HAVING GIVEN NOTICE OF THE CLAIM, GIVE TO THE INSURER NOTICE OF CONTINUANCE OF THE DISABILITY, EXCEPT IN THE EVENT OF LEGAL INCAPACITY. THE PERIOD OF SIX (6) MONTHS FOLLOWING ANY FILING OF PROOF BY THE INSURED OR ANY PAYMENT BY THE INSURER ON ACCOUNT OF SUCH CLAIM OR ANY DENIAL OF LIABILITY IN WHOLE OR IN PART BY THE INSURER SHALL BE EXCLUDED IN APPLYING THIS PROVISION. DELAY IN THE GIVING OF SUCH NOTICE SHALL NOT IMPAIR THE INSURED'S RIGHT TO ANY INDEMNITY WHICH WOULD OTHERWISE HAVE ACCRUED DURING THE PERIOD OF SIX (6) MONTHS PRECEDING THE DATE ON WHICH SUCH NOTICE IS ACTUALLY GIVEN."

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 444.

The quoted language of subsections (a) and (b) of this section is the same as the quoted language of former Art. 48A, § 444.

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