

the former phrase "in all cases" are deleted as surplusage.

In subsection (c)(2)(ii) of this section, the former reference to the definition being limited "in subject matter" is deleted as surplusage.

In subsection (c)(3)(ii) of this section, the reference to "coverage" is substituted for the former reference to "benefits" for consistency within this section and with § 15-222(c)(3)(ii) of this subtitle.

In subsection (c)(4) of this section, the former phrase "[i]n applying the foregoing policy provision" is deleted as surplusage.

Defined terms: "Commissioner" § 1-101

"Health insurance" § 1-101

"Insurance" § 1-101

"Insurer" § 1-101

"Policy" § 1-101

"Premium" § 1-101

"State" § 1-101

15-224. RELATION OF EARNINGS TO INSURANCE.

(A) IN GENERAL.

A POLICY OF HEALTH INSURANCE MAY CONTAIN THE FOLLOWING PROVISION:

"RELATION OF EARNINGS TO INSURANCE: IF THE TOTAL MONTHLY AMOUNT OF LOSS-OF-TIME BENEFITS PROMISED FOR THE SAME LOSS UNDER ALL VALID LOSS-OF-TIME COVERAGE UPON THE INSURED, WHETHER PAYABLE ON A WEEKLY OR MONTHLY BASIS, SHALL EXCEED THE MONTHLY EARNINGS OF THE INSURED AT THE TIME DISABILITY COMMENCED OR HIS AVERAGE MONTHLY EARNINGS FOR THE PERIOD OF TWO YEARS IMMEDIATELY PRECEDING A DISABILITY FOR WHICH CLAIM IS MADE, WHICHEVER IS THE GREATER, THE INSURER WILL BE LIABLE ONLY FOR SUCH PROPORTIONATE AMOUNT OF SUCH BENEFITS UNDER THIS POLICY AS THE AMOUNT OF SUCH MONTHLY EARNINGS OR SUCH AVERAGE MONTHLY EARNINGS OF THE INSURED BEARS TO THE TOTAL AMOUNT OF MONTHLY BENEFITS FOR THE SAME LOSS UNDER ALL SUCH COVERAGE UPON THE INSURED AT THE TIME SUCH DISABILITY COMMENCES AND FOR THE RETURN OF SUCH PART OF THE PREMIUMS PAID DURING SUCH TWO YEARS AS SHALL EXCEED THE PRO RATA AMOUNT OF THE PREMIUMS FOR THE BENEFITS ACTUALLY PAID HEREUNDER; BUT THIS SHALL NOT OPERATE TO REDUCE THE TOTAL MONTHLY AMOUNT OF BENEFITS PAYABLE UNDER ALL SUCH COVERAGE UPON THE INSURED BELOW THE SUM OF \$200 OR THE SUM OF THE MONTHLY BENEFITS SPECIFIED IN SUCH COVERAGES, WHICHEVER IS THE LESSER, NOR SHALL IT OPERATE TO REDUCE BENEFITS OTHER THAN THOSE PAYABLE FOR LOSS OF TIME."

(B) APPLICABILITY OF PROVISION.

THE POLICY PROVISION SET FORTH IN SUBSECTION (A) OF THIS SECTION MAY BE INSERTED ONLY IN A POLICY THAT THE INSURED MAY CONTINUE IN EFFECT SUBJECT TO ITS TERMS BY THE TIMELY PAYMENT OF PREMIUMS: