

Article - Insurance

23-405.

(a) (1) [Whenever] NOTWITHSTANDING ANY OTHER PROVISION OF THIS ~~TITLE~~ ARTICLE, WHEN an insurance contract is canceled, WHETHER BY A PREMIUM FINANCE COMPANY, AN INSURER, OR AN INSURED, the insurer shall return any gross unearned premiums that are due under the insurance contract, computed pro rata, and excluding any expense constant, administrative fee, or any nonrefundable charge filed with and approved by the Commissioner, to the premium finance company for the account of the insured within a reasonable time not exceeding 45 days after:

(i) receipt by the insurer of a notice of cancellation from the premium finance company OR THE INSURED; [or]

(II) THE DATE THE INSURER CANCELS THE INSURANCE CONTRACT;
OR

[(ii)](III) completion of any payroll audit necessary to determine the amount of premium earned while the insurance contract was in force.

(2) An audit under paragraph (1)(~~ii~~) (III) of this subsection shall be performed within 45 days after the insurer receives the notice of cancellation.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1999.

Approved May 27, 1999.

CHAPTER 678

(House Bill 994)

AN ACT concerning

Hospital Capacity and Cost Containment Act

FOR the purpose of requiring the Department of Health and Mental Hygiene to ensure that payments for certain hospital services provided in certain areas are reduced by a certain percentage if the hospital does not provide certain data; providing for a certain exception; providing that a certificate of need is not required before an existing or previously approved, but unbuilt, health care facility is moved to another site under certain circumstances; specifying that a certificate of need is not required for changing the type or scope of health care services under certain circumstances and for the reallocation of existing bed capacity under certain circumstances; ~~increasing the capital expenditure limit for when a health care facility is required to obtain a certificate of need under certain circumstances;~~ providing that a hospital may not create a new health care service through the relocation of beds from one county to another county, under certain circumstances; repealing the requirement that certain health facilities do not need a certificate of need when increasing or decreasing bed capacity under