

or is being committed shall report the suspected insurance fraud in writing to the Commissioner, the Fraud Division, or the appropriate federal, State, or local law enforcement authorities.

(2) An independent insurance producer shall meet the reporting requirement of this subsection by reporting the suspected insurance fraud in writing to the Fraud Division.

(b) In addition to any protection provided under § 10-618 of the State Government Article, any information, documentation, or other evidence provided under this section by an insurer, its employees, fund producers, or insurance producers, A VIATICAL SETTLEMENT PROVIDER, OR A VIATICAL SETTLEMENT BROKER to the Commissioner, the Fraud Division, or a federal, State, or local law enforcement authority in connection with an investigation of suspected insurance fraud is not subject to public inspection for as long as the Commissioner, Fraud Division, or law enforcement authority considers the withholding to be necessary to complete an investigation of the suspected fraud or to protect the person investigated from unwarranted injury.

(c) A person is not subject to civil liability for a cause of action by virtue of reporting suspected insurance fraud if:

(1) the report was made to the Commissioner, Fraud Division, or an appropriate federal, State, or local law enforcement authority; and

(2) the person that reported the suspected insurance fraud acted in good faith when making the report.

27-804.

(A) EACH VIATICAL SETTLEMENT PROVIDER SHALL HAVE IN PLACE AN ANTIFRAUD PLAN REASONABLY CALCULATED TO DETECT, PROSECUTE, AND PREVENT FRAUDULENT VIATICAL SETTLEMENT ACTS.

(B) WITHIN 30 DAYS AFTER INSTITUTING OR MODIFYING AN ANTIFRAUD PLAN, THE VIATICAL SETTLEMENT PROVIDER SHALL NOTIFY THE COMMISSIONER IN WRITING.

(C) EACH ANTIFRAUD PLAN SHALL INCLUDE:

(1) THE USE OF FRAUD INVESTIGATORS;

(2) A DESCRIPTION OF THE PROCEDURES FOR DETECTING AND INVESTIGATING POSSIBLE FRAUDULENT VIATICAL SETTLEMENT ACTS AND PROCEDURES FOR RESOLVING MATERIAL INCONSISTENCIES BETWEEN MEDICAL RECORDS AND INSURANCE APPLICATIONS;

(3) A DESCRIPTION OF THE PROCEDURES FOR REPORTING POSSIBLE FRAUDULENT VIATICAL SETTLEMENT ACTS TO THE COMMISSIONER;

(4) A DESCRIPTION OF THE PLAN FOR ANTIFRAUD EDUCATION AND TRAINING OF UNDERWRITERS, AND OTHER PERSONNEL; AND