

(2) AFTER A HEARING, THE COMMISSIONER DETERMINES THAT THE SURPLUS IS UNREASONABLY LARGE.

(B) IF THE COMMISSIONER HAS DETERMINED THAT THE SURPLUS OF THE SOCIETY IS EXCESSIVE, THE COMMISSIONER SHALL NOT APPROVE A RATE INCREASE SOUGHT BY THE SOCIETY UNTIL THE COMMISSIONER DETERMINES THAT THE SURPLUS OF THE SOCIETY IS NO LONGER EXCESSIVE.

24-213.

(A) THE LEGISLATIVE AUDITOR ANNUALLY SHALL CONDUCT A FISCAL AND COMPLIANCE AUDIT OF THE ACCOUNTS AND TRANSACTIONS OF THE SOCIETY.

(B) THE SOCIETY SHALL PAY THE COST OF EACH AUDIT.

24-214.

(A) IN THIS SECTION, "MEDICAL PROFESSIONAL LIABILITY INSURANCE" MEANS INSURANCE PROVIDING COVERAGE AGAINST DAMAGES DUE TO MEDICAL INJURY ARISING OUT OF THE PERFORMANCE OF PROFESSIONAL SERVICES RENDERED OR WHICH SHOULD HAVE BEEN RENDERED BY A HEALTH CARE PROVIDER.

(B) NOTWITHSTANDING § 10-130(A) OF THIS SUBTITLE, THE SOCIETY SHALL:

(1) OFFER POLICYHOLDERS AND POTENTIAL POLICYHOLDERS THE ABILITY TO PURCHASE AND RENEW COVERAGE DIRECTLY FROM THE SOCIETY; AND

(2) FOR A POLICYHOLDER THAT PURCHASES OR RENEWS COVERAGE DIRECTLY, PROVIDE A PREMIUM DISCOUNT OR REBATE IN AN AMOUNT EQUIVALENT TO THE COMMISSION THE SOCIETY WOULD HAVE PAID AN INSURANCE PRODUCER TO SELL THE SAME POLICY LESS 1% FOR ADMINISTRATIVE EXPENSE.

(C) BEGINNING JANUARY 1, 2005 UNTIL DECEMBER 31, 2009, AN AUTHORIZED INSURER THAT ISSUES POLICIES OF MEDICAL PROFESSIONAL LIABILITY INSURANCE IN THE STATE MAY NOT PAY A COMMISSION AT A RATE THAT EXCEEDS 5% OF THE PREMIUM.

27-501.

(a) (1) An insurer or insurance producer may not cancel or refuse to underwrite or renew a particular insurance risk or class of risk for a reason based wholly or partly on race, color, creed, sex, or blindness of an applicant or policyholder or for any arbitrary, capricious, or unfairly discriminatory reason.

(2) (1) THIS PARAGRAPH DOES NOT APPLY TO A MEDICAL PROFESSIONAL LIABILITY INSURER OR INSURANCE PRODUCER THAT ISSUES OR DELIVERS A POLICY IN THE STATE TO A HEALTH CARE PROVIDER WHO HAS BEEN LICENSED FOR MORE THAN 3 YEARS BY THE APPROPRIATE STATE LICENSING BOARD FOR THE HEALTH CARE PROVIDER.