

(D) (1) A COMPLAINT STATING A CAUSE OF ACTION UNDER § 3-1701 OF THE COURTS ARTICLE SHALL FIRST BE FILED WITH THE ADMINISTRATION.

(2) THE COMPLAINT SHALL:

(I) BE ACCOMPANIED BY EACH DOCUMENT THAT THE INSURED HAS SUBMITTED TO THE INSURER FOR PROOF OF LOSS;

(II) SPECIFY THE APPLICABLE INSURANCE COVERAGE AND THE AMOUNT OF THE CLAIM UNDER THE APPLICABLE COVERAGE; AND

(III) STATE THE AMOUNT OF ACTUAL DAMAGES, AND THE AMOUNT OF CLAIM FOR EXPENSES AND LITIGATION COSTS DESCRIBED UNDER SUBSECTION (E)(2) OF THIS SECTION.

(3) THE ADMINISTRATION SHALL FORWARD THE FILING TO THE INSURER.

(4) WITHIN 30 DAYS AFTER THE DATE THE FILING IS FORWARDED TO THE INSURER BY THE ADMINISTRATION, THE INSURER SHALL:

(I) FILE WITH THE ADMINISTRATION, EXCEPT FOR GOOD CAUSE SHOWN, A WRITTEN RESPONSE TOGETHER WITH A COPY OF EACH DOCUMENT FROM THE INSURER'S CLAIM FILE THAT ENABLES RECONSTRUCTION OF THE INSURER'S ACTIVITIES RELATIVE TO THE INSURED'S CLAIM, INCLUDING DOCUMENTATION OF EACH PERTINENT COMMUNICATION, TRANSACTION, NOTE, WORK PAPER, CLAIM FORM, BILL, AND EXPLANATION OF BENEFITS FORM RELATIVE TO THE CLAIM; AND

(II) MAIL TO THE INSURED A COPY OF THE RESPONSE AND, EXCEPT FOR GOOD CAUSE SHOWN, EACH DOCUMENT FROM THE INSURER'S CLAIM FILE THAT ENABLES RECONSTRUCTION OF THE INSURER'S ACTIVITIES RELATIVE TO THE INSURED'S CLAIM, INCLUDING DOCUMENTATION OF EACH PERTINENT COMMUNICATION, TRANSACTION, NOTE, WORK PAPER, CLAIM FORM, BILL, AND EXPLANATION OF BENEFITS FORM RELATIVE TO THE CLAIM.

(E) (1) (I) WITHIN 90 DAYS AFTER THE DATE THE FILING WAS RECEIVED BY THE ADMINISTRATION, THE ADMINISTRATION SHALL ISSUE A DECISION THAT DETERMINES:

1. WHETHER THE INSURER IS OBLIGATED UNDER THE APPLICABLE POLICY TO COVER THE UNDERLYING FIRST-PARTY CLAIM;