

(2) (i) Nothing contained in this section is intended to provide or deprive any private right or cause of action to, or on behalf of any claimant or other person in any state, territory, or possession of the United States.

(ii) It is the specific intent of this section to provide an additional administrative remedy to the claimant for any violation of the provisions of this section or any regulation pertaining to this section.

(3) This section may not be construed to impair the right of any person to seek redress in law or equity for any conduct which is otherwise actionable.

Article – Health – General

19-706.

(g) The provisions of Article 48A, § 230A of the Code shall apply to health maintenance organizations.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article 48A – Insurance Code

230A.

(a) In this section “policy” means an individual or group policy, contract, or certificate issued by an insurer, including a nonprofit health service plan.

(b) (1) This section applies to any individual or group policy delivered or issued by any insurer, including any nonprofit health service plan authorized under the provisions of Subtitle 20 of this article, in this State or issued to a group which has a main office in this State or covering persons who reside or work within this State.

(2) This section does not apply to reinsurance, workers’ compensation, or surety.

(c) The following actions by an insurer or nonprofit health service plan are unfair claim settlement practices and are violations of this section:

(1) Misrepresenting pertinent facts or insurance policy provisions relating to the claim at issue;

(2) Refusing to pay a claim for an arbitrary or capricious reason based on all available information;

(3) Attempting to settle a claim on the basis of an application which is altered without notice to, or the knowledge or consent of, the insured;

(4) Failing to include with any claim paid to an insured or beneficiary a statement setting forth the coverage under which payment is being made;