

Chapter 476

(Senate Bill 146)

AN ACT concerning

Prelitigation Discovery – Insurance Coverage – Prerequisites for Disclosure

FOR the purpose of repealing certain requirements that certain claimants provide a certain insurer with certain information relating to health care treatment and economic damages before the insurer is required to disclose to the claimants certain coverage limits in a certain insurance agreement; repealing a requirement that the amount of health care bills and loss of income documented by a certain claimant meet a certain minimum threshold before a certain insurer is required to disclose to the claimant certain coverage limits; and generally relating to the disclosure of certain coverage limits in certain insurance agreements.

BY repealing and reenacting, without amendments,
 Article – Courts and Judicial Proceedings
 Section 10–1102
 Annotated Code of Maryland
 (2013 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
 Article – Courts and Judicial Proceedings
 Section 10–1103 and 10–1104
 Annotated Code of Maryland
 (2013 Replacement Volume and 2014 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

10–1102.

After a claimant files a written tort claim concerning a vehicle accident and provides the documentation described in § 10–1103 or § 10–1104 of this subtitle to an insurer, the claimant may obtain from the insurer documentation of the applicable limits of coverage in any insurance agreement under which the insurer may be liable to:

- (1) Satisfy all or part of the claim; or
- (2) Indemnify or reimburse for payments made to satisfy the claim.

10–1103.

(a) This section does not apply to a claim described under § 10–1104 of this subtitle.

(b) A claimant may obtain the documentation described in § 10–1102 of this subtitle if the claimant provides in writing to the insurer:

(1) The date of the vehicle accident;

(2) The name and last known address of the alleged tortfeasor;

(3) A copy of the vehicle accident report, if available; **AND**

(4) The insurer's claim number, if available[;

(5) The claimant's health care bills and documentation of the claimant's loss of income, if any, resulting from the vehicle accident; and

(6) The records of health care treatment for the claimant's injuries caused by the vehicle accident.

(c) If the amount of the health care bills and loss of income documented by the claimant under this section is at least \$12,500, the insurer shall disclose in writing the applicable limits of coverage in each written agreement under which the insurer may be liable].

10–1104.

(a) This section applies to a claim by the estate of an individual or a beneficiary of the individual resulting from the death of the individual in a vehicle accident.

(b) A claimant may obtain the documentation described in § 10–1102 of this subtitle if the claimant provides in writing to the insurer:

(1) The date of the vehicle accident;

(2) The name and last known address of the alleged tortfeasor;

(3) A copy of the vehicle accident report, if available;

(4) The insurer's claim number, if available;

(5) A copy of the decedent's death certificate issued in the State or another jurisdiction;

(6) A copy of the letters of administration issued to appoint the personal representative of the decedent's estate in the State or a substantially similar document issued by another jurisdiction;

(7) The name of each beneficiary of the decedent, if known; **AND**

(8) The relationship to the decedent of each known beneficiary of the decedent[;

(9) The amount of economic damages, if any, claimed by each known beneficiary of the decedent, including any amount claimed based on future loss of earnings of the decedent;

(10) The health care bills for health care treatment, if any, of the decedent resulting from the vehicle accident;

(11) The records of health care treatment for injuries to the decedent caused by the vehicle accident; and

(12) Documentation of the decedent's past loss of income, if any, resulting from the vehicle accident].

SECTION 2. **AND BE IT FURTHER ENACTED**, That this Act shall take effect October 1, 2015.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2015.