

Article - Insurance

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§14–105.

(a) If a nonprofit health service plan is successful in an action against a person authorized to provide health care in the State, the nonprofit health service plan may recover the costs and expenses reasonably incurred by it in the action if it shows that:

(1) the person knowingly or willfully made or caused to be made:

(i) a false statement or representation of a material fact in an application for a benefit or payment from a nonprofit health service plan under this subtitle or Title 15 of this article;

(ii) a false statement or representation of a material fact for use in determining rights to those benefits or payments; or

(iii) a false statement or representation about a procedure, operation, or service alleged to have been performed; or

(2) the person:

(i) engaged in gross, willful, and continued overcharging for a procedure, operation, or service; or

(ii) filed false statements for collection of fees for services that were not rendered.

(b) If a nonprofit health service plan is denied relief in an action under this section, the person against whom the action was brought may recover the costs and expenses reasonably incurred by the person in defending the action.

(c) This section does not limit any additional rights or remedies that a nonprofit health service plan may have at law or in equity.

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