Article - Insurance

[Previous][Next]

§14–611.

(a) To enforce this subtitle and any regulation adopted under it, the Commissioner may issue an order:

(1) that requires the violator to cease and desist from the identified violation and further similar violations;

(2) that requires the violator to take specific affirmative action to correct the violation;

(3) that requires the violator to make restitution of money, property, or other assets to a person who has suffered financial injury because of the violation; or

(4) that requires a discount medical plan organization or a discount drug plan organization to make restitution of money, property, or other assets to a person who has suffered financial injury because of a violation by any person authorized to sell, market, solicit, or administer a discount medical plan or discount drug plan established by the discount medical plan organization or discount drug plan organization while the person is acting with the actual or apparent authority of the discount medical plan organization or discount drug plan organization.

(b) (1) An order of the Commissioner issued under this section may be served on a violator who is registered under this subtitle in the manner provided in Title 2 of this article.

(2) An order of the Commissioner issued under this section may be served on a violator that is not registered under this subtitle in the manner provided for service on an unauthorized insurer that does an act of insurance business in Title 4 of this article.

(3) A request for a hearing on any order issued under this subsection does not stay that portion of the order that requires the violator to cease and desist from conduct identified in the order.

(4) The Commissioner may file a petition in the circuit court of any county to enforce an order issued under this section, whether or not a hearing has been requested or, if requested, whether or not a hearing has been held.

(5) If the Commissioner prevails in an action brought by the Commissioner under this section, the Commissioner may recover for the use of the State reasonable attorney's fees and the costs of the action.

(c) (1) In addition to any other enforcement action taken by the Commissioner under this section, the Commissioner may impose a civil penalty of not more than

$10,000 for each violation of this subtitle.

(2) Notwithstanding paragraph (1) of this subsection, the Commissioner may impose a civil penalty of not more than $1,000 per day for each day that a person is in violation of § 14–603 of this subtitle.

(d) This section does not limit any regulatory power of the Commissioner under this article.

[Previous][Next]