

BY: Finance Committee

AMENDMENTS TO HOUSE BILL NO. 1148
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Health Maintenance Organizations” insert “and Insurers”; in line 5, strike “send” and substitute “provide to certain filers”; in line 6, after “disapproval;” insert “providing for the future codification of certain provisions of this Act;”; in the same line, after “organizations” insert “, insurers,”; after line 7, insert:

“BY repealing and reenacting, with amendments,

Article 48A - Insurance Code

Section 376(a)

Annotated Code of Maryland

(1994 Replacement Volume and 1995 Supplement)”;

and after line 12, insert:

“BY repealing and reenacting, with amendments,

Article - Insurance

Section 12-205(a)

Annotated Code of Maryland

(1995 Volume)

(As enacted by Chapter 36 of the Acts of the General Assembly of 1995)”.

AMENDMENT NO. 2

On page 1, after line 14, insert:

“Article 48A - Insurance Code

376.

(Over)

(a) (1) The Commissioner shall disapprove any form filed under § 375 of this subtitle or withdraw any previous approval if the forms do not meet the requirements of subsection (b) of this section. Furthermore, the Commissioner may set forth reasonable rules and regulations consistent with the requirements of subsection (c) of this section in order to establish minimum benefits and coverages as may be required.

(2) IF THE COMMISSIONER, UNDER PARAGRAPH (1) OF THIS SUBSECTION, DISAPPROVES OR WITHDRAWS APPROVAL OF A FORM, THE COMMISSIONER SHALL PROVIDE THE FILER OF THE FORM WITH:

(I) A STATUTORY OR REGULATORY BASIS FOR THE DISAPPROVAL OR WITHDRAWAL OF APPROVAL; AND

(II) AN EXPLANATION OF THE APPLICATION OF THE STATUTORY OR REGULATORY BASIS FOR THE DISAPPROVAL OR WITHDRAWAL OF APPROVAL.”.

On page 2, after line 40, insert:

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

Article - Insurance

12-205.

(a) (1) The Commissioner shall disapprove a form or withdraw the previous approval of a form filed under § 12-203 of this subtitle if the form does not meet the requirements of subsection (b) of this section.

(2) The order of disapproval or withdrawal of approval shall inform the insurer [in reasonable detail of the Commissioner’s grounds for the action] OF:

(I) A STATUTORY OR REGULATORY BASIS FOR THE DISAPPROVAL OR WITHDRAWAL OF APPROVAL; AND

(II) AN EXPLANATION OF THE APPLICATION OF THE STATUTORY

OR REGULATORY BASIS FOR THE DISAPPROVAL OR WITHDRAWAL OF APPROVAL.”.

On page 3, in line 1, strike “2.” and substitute “3.”; in the same line, after “That” insert “Section 1 of”; and after line 2, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 1997.”.