Unofficial Copy C4

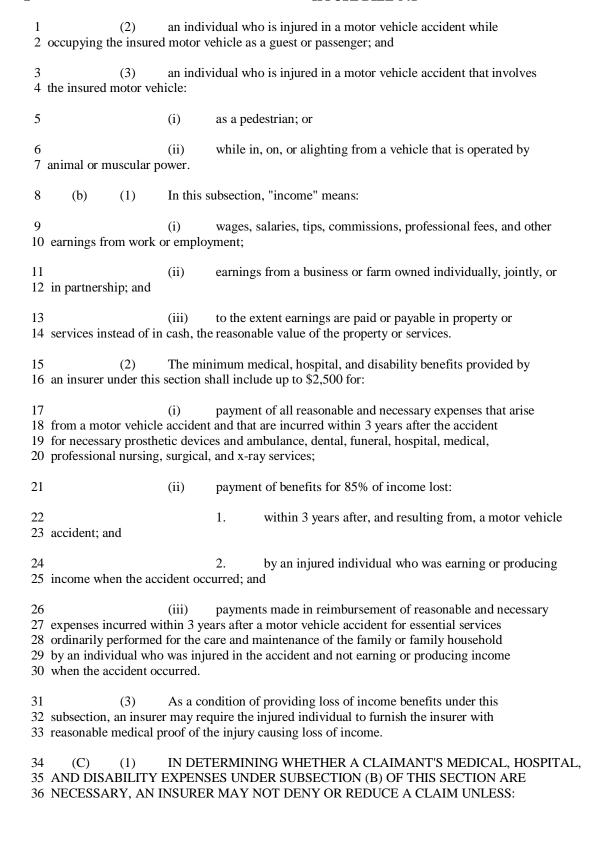
28 named insured:

2000 Regular Session 0lr0311

By: Delegate Barve Introduced and read first time: February 11, 2000 Assigned to: Economic Matters A BILL ENTITLED 1 AN ACT concerning 2 **Motor Vehicle Insurance - Personal Injury Protection Claims** 3 FOR the purpose of prohibiting certain insurers from denying or reducing a certain claim except under certain circumstances; limiting what a certain insurer may 4 consider in making a certain determination; and generally relating to personal 5 6 injury protection claims. 7 BY repealing and reenacting, with amendments, Article - Insurance 8 9 Section 19-505 10 Annotated Code of Maryland (1997 Volume and 1999 Supplement) 11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 12 13 MARYLAND, That the Laws of Maryland read as follows: 14 **Article - Insurance** 15 19-505. Unless waived in accordance with § 19-506 of this subtitle, each insurer 16 that issues, sells, or delivers a motor vehicle liability insurance policy in the State 17 18 shall provide coverage for the medical, hospital, and disability benefits described in 19 this section for each of the following individuals: 20 (1) except for individuals specifically excluded under § 27-606 of this 21 article: 22 the first named insured, and any family member of the first (i) 23 named insured who resides in the first named insured's household, who is injured in 24 any motor vehicle accident, including an accident that involves an uninsured motor 25 vehicle or a motor vehicle the identity of which cannot be ascertained; and 26 any other individual who is injured in a motor vehicle accident (ii)

27 while using the insured motor vehicle with the express or implied permission of the

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	BASED ON THE FIN EXAMINED THE CI		OF A HI	ETERMINATION TO DENY OR REDUCE THE CLAIM IS EALTH CARE PROVIDER WHO HAS PERSONALLY	
6	APPROPRIATENES	S OF CA	PUTE CO RE REN	SURER HAS PROCEDURES IN PLACE TO ALLOW FOR THE DNCERNING THE MEDICAL NECESSITY OR DERED TO A CLAIMANT BY HEALTH CARE DENT OF THE CLAIMANT AND THE INSURER.	
10	(2) IN DETERMINING WHETHER NECESSARY MEDICAL, HOSPITAL, OR DISABILITY EXPENSES UNDER SUBSECTION (B) OF THIS SECTION ARE REASONABLE, AN INSURER MAY ONLY CONSIDER THE FEES THAT THE BILLING HEALTH CARE PROVIDER CHARGES FOR THE SAME OR SIMILAR SERVICES.				
12 13	[(c)] (D) section benefits for:	(1)	An insu	rer may exclude from the coverage described in this	
14		(i)	an indiv	ridual, otherwise insured under the policy, who:	
15 16	in the injury for which	h benefit	1. s are clai	intentionally causes the motor vehicle accident resulting med;	
17 18	7 2. is a nonresident of the State and is injured as a pedestrian 8 in a motor vehicle accident that occurs outside of the State;				
19 20		a motor v	3. cehicle th	is injured in a motor vehicle accident while operating or at the individual knows is stolen; or	
21 22	felony or while viola	ting § 21	4. -904 of tl	is injured in a motor vehicle accident while committing a ne Transportation Article; or	
	(ii) the named insured or a family member of the named insured who resides in the named insured's household for an injury that occurs while the named insured or family member is occupying an uninsured motor vehicle owned by:				
26			1.	the named insured; or	
27 28	resides in the named	insured's	2. househo	an immediate family member of the named insured who ld.	
29	(2)	(2) In the case of motorcycles, an insurer may:			
30		(i)	exclude	the economic loss benefits described in this section; or	
31 32	specific exclusions.	(ii)	offer the	e economic loss benefits with deductibles, options, or	
	33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 34 October 1, 2000.				