

BY: Delegate Simmons

AMENDMENTS TO HOUSE BILL NO. 2, AS AMENDED  
(First Reading File Bill)

AMENDMENT NO. 1

On page 3 of the bill, in line 12, before "establishing" insert "authorizing the Commissioner to determine that the surplus of the Society is excessive under certain circumstances; prohibiting the Commissioner from approving a rate increase sought by the Society under certain circumstances;".

On page 4 of the bill, in line 8, after "services;" insert "prohibiting disbursements from the Fund to the Medical Mutual Liability Insurance Society of Maryland under certain circumstances;".

On page 6 of the bill, in line 8, strike "and" and substitute a comma.

On page 2 of the House Rules and Executive Nominations Committee Amendments (HB0002/473723/1), in line 1 of Amendment No. 2, after "24-211" insert ", and 24-212".

AMENDMENT NO. 2

On page 39 of the bill, after line 21, insert:

"24-212.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, THE COMMISSIONER MAY DETERMINE THAT THE SURPLUS OF THE SOCIETY IS EXCESSIVE IF:

(1) THE TOTAL SURPLUS IS GREATER THAN THE APPROPRIATE RISK BASED CAPITAL REQUIREMENTS, AS DETERMINED BY THE COMMISSIONER, FOR THE IMMEDIATELY PRECEDING CALENDAR YEAR; AND

(2) AFTER A HEARING, THE COMMISSIONER DETERMINES THAT THE

(Over)

SURPLUS IS UNREASONABLY LARGE.

(B) IF THE COMMISSIONER HAS DETERMINED THAT THE SURPLUS OF THE SOCIETY IS EXCESSIVE, THE COMMISSIONER SHALL NOT APPROVE A RATE INCREASE SOUGHT BY THE SOCIETY UNTIL THE COMMISSIONER DETERMINES THAT THE SURPLUS OF THE SOCIETY IS NO LONGER EXCESSIVE."

AMENDMENT NO. 3

On page 50 of the bill, in line 26, after "(P)" insert "(1)"; and after line 29, insert:

"(2) A DISBURSEMENT MAY NOT BE MADE FROM THE FUND TO THE MEDICAL MUTUAL LIABILITY INSURANCE SOCIETY OF MARYLAND DURING ANY PERIOD FOR WHICH THE COMMISSIONER HAS DETERMINED, UNDER § 24-212 OF THIS ARTICLE, THAT THE SURPLUS OF THE SOCIETY IS EXCESSIVE."