

Chapter 120

(House Bill 301)

AN ACT concerning

Insurance Fraud – Applications for Insurance and Claim Forms – Required Disclosure Statement

FOR the purpose of altering a certain statement required to be contained in certain applications for insurance and claim forms; providing for a delayed effective date; and generally relating to insurance fraud.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 27–805

Annotated Code of Maryland

(2011 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Insurance

27–805.

(a) In this section, “claim form” means any document supplied by an insurer to a claimant that a claimant is required to complete and submit in support of a claim for benefits.

(b) (1) Except as provided in subsection (c) of this section, all applications for insurance and all claim forms, regardless of the form of transmission, shall contain the following statement or a substantially similar statement:

“Any person who knowingly [and] **OR** willfully presents a false or fraudulent claim for payment of a loss or benefit or who knowingly [and] **OR** willfully presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.”

(2) The lack of the statement required by paragraph (1) of this subsection does not constitute a defense in any legal proceeding.

(c) Subsection (b)(1) of this section does not apply to:

(1) reinsurance applications or claim forms; or

(2) the uniform claims form for reimbursement of hospital services or the uniform claims form for reimbursement of health care practitioners services adopted by the Commissioner under § 15-1003 of this article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ January 1, 2012 ~~2013~~.

Approved by the Governor, April 10, 2012.