

Article - Insurance

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§9–405.

- (a)
 - (1) There is a Life and Health Insurance Guaranty Corporation.
 - (2) The Corporation is a private, nonprofit, nonstock corporation.
 - (3) The Corporation is established to enable the guaranty of payment of benefits and continuation of coverages.
- (b) As a condition of its authority to transact insurance or health maintenance organization business in the State, each member insurer must be and remain a member of the Corporation.
- (c) The Corporation shall:
 - (1) perform its functions in accordance with the plan of operation established and approved under § 9–410 of this subtitle; and
 - (2) exercise its powers through the Board of Directors established under § 9–406 of this subtitle.
- (d) For administration and assessment purposes, the Corporation shall maintain:
 - (1) the health account;
 - (2) the life insurance account; and
 - (3) the annuity account.
- (e) The Corporation is under the immediate supervision of the Commissioner and subject to the applicable insurance laws of the State.
- (f) Except as otherwise provided in this subtitle, the Corporation has perpetual existence and the powers, privileges, and immunities granted by the applicable provisions of the Corporations and Associations Article.
- (g)
 - (1) The Corporation is not and may not be deemed a department, unit, agency, or instrumentality of the State for any purpose.

(2) All debts, claims, obligations, and liabilities of the Corporation, whenever incurred, shall be the debts, claims, obligations, and liabilities of the Corporation only and not of the State or the State's agencies, instrumentalities, officers, or employees.

(h) (1) The money of the Corporation is not part of the General Fund of the State.

(2) The State may not budget for or provide General Fund appropriations to the Corporation.

(3) The debts, claims, obligations, and liabilities of the Corporation are not a debt of the State or a pledge of the credit of the State.

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