

HOUSE BILL 301

C4

2lr0090

By: **Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)**

Introduced and read first time: January 30, 2012

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 15, 2012

CHAPTER _____

1 AN ACT concerning

2 **Insurance Fraud – Applications for Insurance and Claim Forms – Required**
3 **Disclosure Statement**

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

7 BY repealing and reenacting, with amendments,
8 Article – Insurance
9 Section 27–805
10 Annotated Code of Maryland
11 (2011 Replacement Volume)

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

14 **Article – Insurance**

15 27–805.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

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

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

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

11 (1) reinsurance applications or claim forms; or

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.