§2159-F. Discrimination in medical malpractice insurance based solely on legally protected health care activity

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Adverse action" means revocation, suspension or other disciplinary action against a health care professional's license. [PL 2023, c. 345, §1 (NEW).]

B. [PL 2023, c. 648, Pt. E, §3 (RP).]

C. "Aid and assist legally protected health care activity" and "aiding and assisting legally protected health care activity" have the same meanings as in Title 14, section 9002, subsection 1. [PL 2023, c. 648, Pt. E, §3 (NEW).]

D. "Legally protected health care activity" has the same meaning as in Title 14, section 9002, subsection 8. [PL 2023, c. 648, Pt. E, §3 (NEW).]

[PL 2023, c. 648, Pt. E, §3 (AMD).]

2. Discrimination prohibited. An insurer that provides medical malpractice insurance in this State may not refuse to issue or renew coverage, cancel or restrict coverage, impose any sanctions, fines, penalties or rate increases or require the payment of additional charges by a health care professional who engages in legally protected health care activity or aids and assists legally protected health care activity on the sole basis that the health care professional is acting in violation of another state's law related to legally protected health care activity or aiding and assisting legally protected health care activity or is subject to an adverse action against the health care professional's license in another state for a violation of that state's law related to legally protected health care activity or aiding and assisting legally protected health care activity.

[PL 2023, c. 648, Pt. E, §3 (AMD).]

3. Action based on adverse action in another state prohibited. An insurer that provides medical malpractice insurance in this State may not refuse to issue or renew coverage, cancel or restrict coverage or require the payment of additional charges by a health care professional who engages in legally protected health care activity or aids and assists legally protected health care activity as a result of an adverse action against the health care professional's license in another state if the adverse action is solely based on a violation of the other state's law related to legally protected health care activity or aiding and assisting legally protected health care activity.

[PL 2023, c. 648, Pt. E, §3 (AMD).]

SECTION HISTORY

PL 2023, c. 345, §1 (NEW). PL 2023, c. 648, Pt. E, §3 (AMD).

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