

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 176*

Short Title: No HIV Insurance Discrimination.

(Public)

Sponsors: Representative Locks.

Referred to: Commerce.

February 8, 1989

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT DISCRIMINATION AGAINST HIV INFECTED PERSONS
3 UNDER HEALTH INSURANCE POLICIES.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 58-54.4(7) reads as rewritten:

6 "(7) Unfair Discrimination.

- 7 a. Making or permitting any unfair discrimination between individuals of
8 the same class and equal expectation of life in the rates charged for any
9 contract of life insurance or of life annuity or in the dividends or other
10 benefits payable thereon, or in any other of the terms and conditions of
11 such contract.
- 12 b. Making or permitting any unfair discrimination between individuals of
13 the same class and of essentially the same hazard in the amount of
14 premium, policy fees, or rates charged for any policy or contract of
15 accident or health insurance or in the benefits payable thereunder, or in
16 any of the terms or conditions of such contract, or in any other manner
17 whatever.
- 18 c. Making or permitting any unfair discrimination between or among
19 individuals or risks of the same class and of essentially the same
20 hazard by refusing to issue, refusing to renew, cancelling, or limiting
21 the amount of insurance coverage on a property or casualty risk
22 because of the geographic location of the risk, unless:

- 1 1. The refusal or limitation is for the purpose of preserving the
2 solvency of the insurer and is not a mere pretext for unfair
3 discrimination, or
4 2. The refusal, cancellation, or limitation is required by law.
5 d. Making or permitting any unfair discrimination between or among
6 individuals or risks of the same class and of essentially the same
7 hazard by refusing to issue, refusing to renew, cancelling, or limiting
8 the amount of insurance coverage on a residential property risk, or the
9 personal property contained therein, because of the age of the
10 residential property, unless:
11 1. The refusal or limitation is for the purpose of preserving the
12 solvency of the insurer and is not a mere pretext for unfair
13 discrimination, or
14 2. The refusal, cancellation, or limitation is required by law.
15 e. Treating symptomatic HIV infection differently than any other dread
16 disease under policy provisions and applications."
17 Sec. 2. This act is effective upon ratification.