

SENATE No. 173

To accompany the petition of Hugh L. Tims for legislation relative to group life and blanket accident and health insurance. Insurance.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Nine

AN ACT FURTHER AMENDING THE GROUP LIFE AND BLANKET ACCIDENT AND HEALTH INSURANCE LAWS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 133 of chapter 175 of the
2 General Laws, as most recently amended, is hereby
3 further amended by striking out clause (b) and
4 inserting in place thereof the following: — or (b) all
5 the members of any trade union or other association
6 of wage workers described in section twenty-nine,
7 or all employees, herein called “non-members”, of
8 the employer or employers of such members, if the
9 non-members are represented by such union or
10 association for collective bargaining purposes, or
11 both such members and non-members, or all of any
12 class or classes of either or both, with or without
13 medical examination, written under a policy issued
14 to such union or association or to the trustees of a
15 trust fund established by one or more such unions

16 or associations or employers, the premium on which
17 is to be paid by the union or association, or by the
18 trustees from any such fund which, in the case of a
19 fund created by one or more such union or association,
20 may include contributions from the employer or
21 employers of the members, or paid by the union,
22 the association or the trustees and such persons
23 jointly, for amounts of insurance based upon some
24 plan which will preclude individual selection, and
25 for the benefit of persons other than the union or
26 association or any officers thereof, or the trustees
27 or employers; provided, that when the premium
28 is to be paid jointly as aforesaid and the benefits
29 of the policy are offered to all eligible members and
30 non-members, not less than seventy-five per cent
31 of such members or non-members, or both, may be so
32 insured, and provided further that any insured
33 persons under the policy may apply for amounts
34 of insurance additional to those granted by said
35 policy, in which case any percentage of the
36 members and non-members may be insured for
37 additional amount if they pass satisfactory medical
38 examinations.

1 SECTION 2. Section 134 of chapter 175 of the
2 General Laws, as most recently amended by chapter
3 456 of the acts of 1941, is hereby further amended
4 by striking out the second paragraph following
5 provision 4, and inserting in place thereof the follow-
6 ing sentences:—The word “employer”, as used
7 in this section and section one hundred and thirty-
8 seven, shall include a trade union or association of
9 wage workers mentioned in clause (b) of section
10 one hundred and thirty-three or the trustees of any

11 trust fund mentioned in said clause (b), an association
12 of state, county or municipal employees, a financial
13 or other institution including subsidiary or affiliated
14 institutions and a vendor of any property. The
15 word "employee", as used in this section and section
16 one hundred and thirty-five, shall include a member
17 of such a union or association and a non-member,
18 mentioned in said clause (b), and, as used in this
19 section, shall also include a borrower from such a
20 financial or other institution including subsidiary
21 or affiliated institutions, and a purchaser from such a
22 vendor.

1 SECTION 3. Section 110 of said chapter 175, as
2 most recently amended, is hereby further amended
3 by striking out said section and inserting in place
4 thereof the following: —

5 *Section 110.* 1. Nothing in sections one hundred
6 and eight and one hundred and nine shall be con-
7 strued to apply to or affect or prohibit the issue of
8 any general or blanket policy of insurance to (a)
9 any employer; whether an individual, association,
10 co-partnership, corporation, or (b) any municipal
11 corporation or any department thereof, or (c) any
12 police or fire department, or (d) any underwriter's
13 corps, salvage bureau or like organization, or (e) any
14 college, school or other institution of learning, or
15 the head or principal thereof, or (f) any organization
16 for health, recreational or military instruction or
17 treatment, or (g) any trade union or other association
18 of wage workers described in section twenty-nine
19 or the trustees of a trust fund established by one
20 or more such unions or associations, or (h) the
21 trustees of such a fund established by one or more

22 employers of co-employees, herein called "non-
23 members", of members of one or more such unions
24 or associations. Any such policy shall insure the
25 officers, employees, students, patients, members
26 or non-members, as the case may be, or any class
27 or classes or department or departments thereof,
28 and a policy issued under clause (g) or (h) may
29 insure both members and non-members, or any class
30 or classes thereof, against loss or damage from
31 disease of specified accidental bodily injuries, or
32 death caused by such injuries contracted or sus-
33 tained while exposed to the hazards of the employ-
34 ment or occupation, the course of instruction or
35 treatment, or otherwise, for a premium calculated
36 to cover the risks of all persons insured under the
37 policy.

38 2. Any policy issued under clause (a), (g) or
39 (h) or under subdivision two may also insure the
40 dependents of persons insured thereunder, in respect
41 to medical, surgical and hospital expenses.

42 3. A policy issued under clause (a), (g) or (h), if
43 the benefits thereof are offered to all persons eligible
44 for coverage, and if the premiums thereon are paid
45 by the employer, or the trustees, and the insured
46 persons jointly, or by such persons, and if it insures
47 not less than seventy-five per cent of the persons
48 eligible for coverage, or, in the case of a policy issued
49 under clause (a), it insures the members of an associ-
50 ation of employees and those insured constitute not
51 less than said percentage of all eligible employees,
52 shall be deemed a general or blanket policy under
53 this section.

54 4. Nothing in sections one hundred and eight
55 and one hundred and nine shall be construed to

56 apply to or affect or prohibit the issue of any general
57 or blanket policy of insurance to any association
58 of state, county or municipal employees who are
59 regularly and permanently employed by the com-
60 monwealth, a county or a municipality and, if
61 employed by the commonwealth or the city of
62 Boston are paid by a common paymaster, as de-
63 fined in section one hundred and thirty-three,
64 and are eligible for membership in the retirement
65 association for the employees of the commonwealth
66 or of the city of Boston, or to an association of
67 employees of two or more municipalities within
68 one county who are regularly and permanently
69 employed by one or more such municipalities,
70 insuring the members of the association against
71 loss or damage from disease or specified accidental
72 bodily injuries or death caused by such injuries,
73 contracted or sustained while exposed to the hazards
74 of their occupation, for a premium calculated to
75 cover the risks of all the persons insured under
76 such policy. No person shall be eligible for cover-
77 age under such policy as a member of more than
78 one such association. A policy on which the premium
79 is paid by the members of the association and the
80 benefits of which are offered to all its members,
81 and insuring not less than fifty members and seventy-
82 five per cent of all persons eligible for membership
83 in the association shall be deemed to be a general
84 or blanket policy within the meaning of this section.
85 The provisions of section one hundred and thirty-
86 eight A shall apply to deductions on payroll sched-
87 ules from the salary of any state, county or municipi-
88 pal employee for the payment of premiums on a

89 general or blanket policy issued to such an associ-
90 ation of state, county or municipal employees.

91 5. The person, firm, association, corporation,
92 trustees to whom a policy described in this sec-
93 tion is issued by a domestic mutual life insurance
94 company shall alone be the member of the Com-
95 pany and entitled to one vote by virtue of such
96 policy at the meetings of the company. If such
97 member is not an individual, the member's right
98 to vote shall be exercised by such person as the
99 member may duly designate in writing.

