

By Mrs. Holland of Longmeadow, petition of Iris K. Holland for legislation to prohibit discrimination relative to insurance contracts. Insurance.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Six.

AN ACT PROHIBITING DISCRIMINATION WITH RESPECT TO INSURANCE CONTRACTS.

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

1 Chapter 175 of the General Laws is hereby amended by deleting
2 Section 24A and inserting in its place the following new section: —
3 *Section 24A.* (a) The General Court hereby declares that it is
4 the policy of the commonwealth that no insurer, no fraternal
5 benefit society as defined in section one of chapter one hundred
6 and seventy-six, no hospital service organization as defined in
7 section one of chapter one hundred and seventy-six A, no medical
8 service corporation as defined in section one of chapter one
9 hundred and seventy-six B, no medical service plan as defined in
10 section one of chapter one hundred and seventy-six C and no
11 savings and insurance bank as defined in section one of chapter one
12 hundred and seventy-eight shall, on the basis of the race, color,
13 religion, sex, marital status or national origin of any individual or
14 group of persons, with respect to insurance contracts to which this
15 chapter and chapters one hundred and seventy-six, one hundred
16 and seventy-six A, one hundred and seventy-six B, one hundred
17 and seventy-six C and one hundred and seventy-eight apply, treat
18 any insured or any applicant for insurance differently than it treats
19 or would treat any other insured or applicant for insurance with
20 respect to the availability, terms, conditions, rates, benefits or
21 requirements on any such insurance contract delivered or issued
22 for delivery in Massachusetts. For purposes of this section, "sex"
23 includes, but is not limited to, conditions unique to one's sex, such
24 as pregnancy.

25 (b) No insurer, no fraternal benefit society as defined in section
26 one of chapter one hundred and seventy-six, no hospital service
27 organization as defined in section one of chapter one hundred and
28 seventy-six A, no medical service corporation as defined in section
29 one of chapter one hundred and seventy-six B, no medical service
30 plan as defined in section one of chapter one hundred and seventy-
31 six C and no savings and insurance bank as defined in section one
32 of chapter one hundred and seventy-eight shall utilize any statisti-
33 cal table (whether of mortality, life expectancy, morbidity, disabili-
34 ty, disability termination or losses) or any other statistical compila-
35 tion as a basis for any action which classifies individuals into
36 separate classes on the basis of race, color, religion, sex, marital
37 status or national origin.

38 (c) With respect to all contracts of insurance existing on the date
39 this Act becomes effective: —

40 (1) No insurer, no fraternal benefit society as defined in section
41 one of chapter one hundred and seventy-six, no hospital service
42 organization as defined in section one of chapter one hundred and
43 seventy-six A, no medical service corporation as defined in section
44 one of chapter one hundred and seventy-six B, no medical service
45 plan as defined in section one of chapter one hundred and seventy-
46 six C and no savings and insurance bank as defined in section one
47 of chapter one hundred and seventy-eight shall charge or collect
48 premium payments or contributions which become due after the
49 effective date of this Act or determine the amount of or pay to any
50 insured or other beneficiary under an insurance, annuity or pen-
51 sion contract any periodic or lump sum payment after the effective
52 date of this Act if such charge, collection, determination or pay-
53 ment is based, directly or indirectly, on the race, color, religion,
54 sex, marital status or national origin of any person or group of
55 persons or on any statistical table whose use would, if applied to
56 contracts made after the effective date of this Act, violate any
57 provision of this section; and

58 (2) The insurer may modify the premium and contribution rates
59 and may increase but not decrease the periodic and lump sum
60 payments under such existing contracts insofar as they are due
61 after the effective date of this Act, if clearly necessary to comply
62 with the nondiscrimination requirements of this section, but such

63 insurer need not refund any portion of the premiums and contribu-
64 tions which were payable to the insurer prior to the effective date of
65 this Act nor pay any additional amounts for the benefits which
66 were payable by the insurer prior to the effective date of this Act.

67 (d) Nothing in Sec. 24A shall be deemed to affect the right of
68 fraternal beneficiary societies, orders, or associations to determine
69 eligibility requirements for membership.

The first part of the history of the
 of the world, and the progress of
 the human mind, from the earliest
 ages to the present time, is
 a subject of great interest and
 importance. It is a subject which
 has attracted the attention of
 all ages and all nations, and
 which has produced a vast
 amount of literature. The history
 of the world is a subject which
 is of great importance to all
 nations, and which is of great
 interest to all ages. It is a
 subject which has attracted the
 attention of all ages and all
 nations, and which has produced
 a vast amount of literature.

The second part of the history of the
 of the world, and the progress of
 the human mind, from the earliest
 ages to the present time, is
 a subject of great interest and
 importance. It is a subject which
 has attracted the attention of
 all ages and all nations, and
 which has produced a vast
 amount of literature. The history
 of the world is a subject which
 is of great importance to all
 nations, and which is of great
 interest to all ages. It is a
 subject which has attracted the
 attention of all ages and all
 nations, and which has produced
 a vast amount of literature.

The third part of the history of the
 of the world, and the progress of
 the human mind, from the earliest
 ages to the present time, is
 a subject of great interest and
 importance. It is a subject which
 has attracted the attention of
 all ages and all nations, and
 which has produced a vast
 amount of literature. The history
 of the world is a subject which
 is of great importance to all
 nations, and which is of great
 interest to all ages. It is a
 subject which has attracted the
 attention of all ages and all
 nations, and which has produced
 a vast amount of literature.