



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 146

H.P. 121

House of Representatives, January 31, 2013

An Act To Prohibit Unfair Discrimination in Long-term Care Insurance

Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative TREAT of Hallowell.
Cosponsored by Senator CRAVEN of Androscoggin and
Representatives: BECK of Waterville, DAUGHTRY of Brunswick, GOODE of Bangor,
MORRISON of South Portland, NADEAU of Winslow, ROCHELO of Biddeford, ROTUNDO
of Lewiston, WELSH of Rockport.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 24-A MRSA §2159-D** is enacted to read:

3 **§2159-D. Insurance discrimination solely on account of gender prohibited**

4 An insurer authorized to transact business in this State may not refuse to issue or
5 renew long-term care insurance or limit the amount, extent or kind of coverage available
6 to an individual or charge an individual a different rate on the basis of gender.

7 **Sec. 2. Bureau of Insurance evaluation; report.** The Department of
8 Professional and Financial Regulation, Bureau of Insurance shall evaluate and identify
9 the best methods to stabilize rates and prevent unfair discrimination in long-term care
10 insurance. In conducting the evaluation, the bureau shall consult with the National
11 Association of Insurance Commissioners for information on the experience of other states
12 relative to rate stabilization. On or before February 1, 2014, the bureau shall submit a
13 report based on its evaluation that includes its recommendations for long-term care
14 insurance rate stabilization practices and any suggested legislation to the Joint Standing
15 Committee on Insurance and Financial Services. The joint standing committee may
16 submit a bill based on the report to the Second Regular Session of the 126th Legislature.

17 **SUMMARY**

18 This bill prohibits unfair discrimination on the basis of gender in the underwriting of
19 long-term care insurance. The bill also requires the Department of Professional and
20 Financial Regulation, Bureau of Insurance to evaluate the best methods to stabilize rates
21 for long-term care insurance and to submit a report to the Joint Standing Committee on
22 Insurance and Financial Services.