

MAINE STATE LEGISLATURE

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L.D. 1312

(Filing No. S-305)

STATE OF MAINE
SENATE
112TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 484, L.D. 1312, Bill, "AN ACT to Prohibit Discrimination Against Handicapped People in Insurance."

Amend the bill by striking out everything after the enacting clause and inserting in its place the following:

'24-A MRSA §2159-A, as amended by PL 1979, c. 663, §142, is repealed and the following enacted in its place:

§2159-A. Insurance discrimination solely on account of blindness prohibited

No insurer authorized to transact business in this State may refuse to insure or continue to insure, limit the amount, extent or kind of coverage available to an individual or charge an individual a rate different from that normally charged for the same coverage solely because the insured or the applicant for insurance is blind or partially blind.

No insurer authorized to transact business in this State may refuse to insure or continue to insure, limit the amount, extent or kind of coverage available to an individual or charge an individual a rate different from that normally charged for the same coverage solely because the insured or the applicant for insurance has a physical or mental handicap, as defined in Title 5, section 4553, subsection 7-A, other than blindness or partial blindness, unless the basis for that action is clearly demonstrated through sound actuarial evidence.'

D. OF R.

COMMITTEE AMENDMENT "A " to S.P. 484, L.D. 1312

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STATEMENT OF FACT

2 Recent information considered by the National As-
3 sociation of Insurance Commissioners and the United
4 States Congress indicates that actuarial evidence
5 does not justify placing limits on the insurance cov-
6 erage available to blind persons. Under this amend-
7 ment, an insurer may not refuse coverage or charge
8 higher rates for the same coverage to a person solely
9 because of the person's blindness. In the case of
10 other physical or mental handicaps, as defined in the
11 Maine Human Rights Act, an insurer may not refuse
12 coverage or charge higher rates for the coverage
13 solely because of the individual's handicap, unless
14 the basis for that action is clearly demonstrated
15 through sound actuarial evidence.

16 The intent of this amendment is to eliminate so-
17 called "voodoo underwriting" where people with handi-
18 caps are denied coverage or charged more for coverage
19 due to unfounded prejudice and superstition toward
20 the handicapped.

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Reported by Senator Bustin for the Committee on Business
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(6/18/85) (Filing No. S-305)