

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 146

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H.P. 121

House of Representatives, January 31, 2013

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

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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.