

(b) (1) No person shall make or permit any unfair discrimination between individuals of the same class and of essentially the same hazard in the amount of premium, policy fees, or rates charged for any policy or contract of health insurance or in the benefits payable thereunder, or in any of the terms, or conditions of such contract, or in any other manner whatever.

(2) Notwithstanding any other provisions in this section, an insurer may not make or permit any differential in ratings, premium payments or dividends for any reason based on the sex of an applicant or policyholder unless there is actuarial justification for the differential.

(3) NOTWITHSTANDING ANY OTHER PROVISIONS IN THIS SECTION, AN INSURER MAY NOT MAKE OR PERMIT ANY DIFFERENTIAL IN RATINGS, PREMIUM PAYMENTS OR DIVIDENDS FOR ANY REASON BASED ON THE BLINDNESS OF AN APPLICANT OR POLICYHOLDER UNLESS THERE IS ACTUARIAL JUSTIFICATION FOR THE DIFFERENTIAL.

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(a) No insurer, agent or broker shall cancel or refuse to underwrite or renew a particular insurance risk or class of risk for any reason based in whole or in part upon race, color, creed [or], sex, OR BLINDNESS of an applicant or policyholder or for any arbitrary, capricious, or unfairly discriminatory reason. In the case of a cancellation of or refusal to renew a policy, provided the insured requests of the Commissioner that a review be undertaken of the insurer's action prior to the effective date of termination of the policy, and provided the Commissioner initiates action toward issuance of a finding in accord with § 234C, such policy shall remain in effect until such finding is issued. No insurer, agent or broker may cancel or refuse to underwrite or renew a particular insurance risk or class of risk except by the application of standards which are reasonably related to the insurer's economic and business purposes. At any hearing to determine whether there has been a violation of this section, the burden of persuasion shall be upon the insurer to demonstrate that the cancellation, or refusal to underwrite or renew is justified under the standards so demonstrated.

(b) No insurer shall require the existence of special conditions, facts, or situations as a condition to its acceptance or renewal of, a particular insurance risk or class of risks in an arbitrary, capricious, unfair, or discriminatory manner based in whole or part upon [the] race, creed, color, sex, religion, national origin, [or] place of residency, OR BLINDNESS. Actuarial justification may be considered with respect to sex.

(c) No insurer, agent or broker shall make any inquiry as to race, creed, color, or national origin in any