

CHAPTER 723

(House Bill 447)

AN ACT concerning

Life Insurance Annuities and Health Insurance - Rates
for Blind and Hearing Impaired Persons

FOR the purpose of prohibiting certain insurers from making or permitting any differentials in ratings, premium payments, or dividends because of blindness or hearing impairment; providing that actuarial justification may be considered for a physical handicap other than blindness or hearing impairment for certain forms of insurance; and generally relating to the rates charged blind persons, partially blind persons, or persons with hearing impairments for life and health insurance and annuities.

BY repealing and reenacting, with amendments,

Article 48A - Insurance Code
Section 223
Annotated Code of Maryland
(1979 Replacement Volume and 1985 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 48A - Insurance Code

223.

(a) (1) No person shall make or permit any unfair discrimination between individuals of the same class and equal expectation of life in the rates charged for any contract of life insurance or of life annuity or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of such contract.

(2) (I) Notwithstanding any other provisions in this section, an insurer may not make or permit any differential in ratings, premium payments or dividends FOR LIFE INSURANCE AND ANNUITY CONTRACTS for any reason based on the blindness or other physical handicap or disability of an applicant or policyholder [unless there is actuarial].

(II) ACTUARIAL justification for the differential MAY BE CONSIDERED FOR A PHYSICAL HANDICAP OR DISABILITY OTHER THAN BLINDNESS OR HEARING IMPAIRMENT.