

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1661 Session of
1991

INTRODUCED BY PRESTON, BISHOP, BUNT, DeWEESE, FREEMAN, GEIST,
HAGARTY, HARLEY, HARPER, ITKIN, JOSEPHS, KUKOVICH, LINTON,
O'DONNELL, RICHARDSON, RITTER, RUDY, STETLER, STURLA,
VAN HORNE, VEON, M. N. WRIGHT AND CARN, JUNE 12, 1991

REFERRED TO COMMITTEE ON INSURANCE, JUNE 12, 1991

AN ACT

1 Amending the act of July 22, 1974 (P.L.589, No.205), entitled
2 "An act relating to unfair insurance practices; prohibiting
3 unfair methods of competition and unfair or deceptive acts
4 and practices; and prescribing remedies and penalties,"
5 further providing for unfair discriminatory practices in
6 relation to maternity coverage.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 5(a)(7) of the act of July 22, 1974
10 (P.L.589, No.205), known as the Unfair Insurance Practices Act,
11 is amended to read:

12 Section 5. Unfair Methods of Competition and Unfair or
13 Deceptive Acts or Practices Defined.--(a) "Unfair methods of
14 competition" and "unfair or deceptive acts or practices" in the
15 business of insurance means:

16 * * *

17 (7) Unfairly discriminating by means of:

18 (i) making or permitting any unfair discrimination between
19 individuals of the same class and equal expectation of life in

1 the rates charged for any contract of life insurance or of life
2 annuity or in the dividends or other benefits payable thereon,
3 or in any other of the terms and conditions of such contract; or

4 (ii) making or permitting any unfair discrimination between
5 individuals of the same class and of essentially the same hazard
6 in the amount of premium, policy, fees or rates charged for any
7 policy or contract of insurance or in the benefits payable
8 thereunder, or in any of the terms or conditions of such
9 contract, or in any other manner whatever; or

10 (ii.1) making or permitting unfair discrimination between
11 individuals covered under a policy of group health insurance in
12 the benefits payable for maternity expenses, including not
13 providing maternity coverage for all eligible dependents; or

14 (iii) making or permitting any unfair discrimination between
15 individuals of the same class and essentially the same hazard
16 with regard to underwriting standards and practices or
17 eligibility requirements by reason of race, religion,
18 nationality or ethnic group, age, sex, family size, occupation,
19 place of residence or marital status. The terms "underwriting
20 standards and practices" or "eligibility rules" do not include
21 the promulgation of rates if made or promulgated in accordance
22 with the appropriate Rate Regulatory Act of this Commonwealth
23 and regulations promulgated by the commissioner pursuant to such
24 act.

25 * * *

26 Section 2. This act shall take effect in 60 days.