

TITLE 50: INSURANCE
PART 2603 UNFAIR DISCRIMINATION BASED ON SEX, SEXUAL PREFERENCE OR MARITAL STATUS
CHAPTER I: DEPARTMENT OF INSURANCE

Section 2603.30 Prohibited Practices

No company shall refuse to issue any contract of insurance, certificate of insurance, notices of proposed insurance, policies, endorsements or riders or decline to renew such contract, certificate, notice, policy, endorsement or rider because of the sex, sexual preference or marital status of the insured or prospective insured. The amount of benefits payable or any term, condition or type of coverage shall not be restricted, modified, excluded or reduced on the basis of the sex, sexual preference or marital status of the insured or prospective insured. All underwriting criteria shall be applied in all instances of similar circumstances without regard to the sex, sexual preference or marital status of the insured or prospective insured. Where benefits for elective procedures are offered, they must be offered equally.

- a) Examples of the practices prohibited by this Section include, but are not limited to:
- 1) Offering coverage to males gainfully employed at home, employed part-time or employed by relatives while denying or offering reduced coverage to females similarly employed;
 - 2) Denying policy riders because of an individual's sex, sexual preference or marital status;
 - 3) Denying, cancelling or refusing to renew coverage, or providing coverage on different terms because the insured or prospective insured is residing with another person or persons of either sex not related by blood or marriage;
 - 4) Reducing disability benefits for women who become disabled while not gainfully employed full-time out-side the home when a similar reduction is not applied to men;
 - 5) Restricting availability of maternity coverages or benefits based upon marital status;
 - 6) Offering dependent coverage to wives of male employees while denying dependent coverage to husbands of female employees;
 - 7) Establishment of different conditions or benefit options based on an individual's sex, sexual preference or marital status. This includes more restrictive benefit periods and more restrictive definitions of disability to women than to men except as permitted by this Part;
 - 8) Requiring an applicant to submit to a medical examination because of the applicant's sex, sexual preference or marital status;
 - 9) Denying to divorced or single persons coverage available to married persons;
 - 10) Denying disability income contracts of insurance, certificates of insurance, notices, policies, riders or endorsements to those in similar occupational classifications because of an individual's sex, sexual preference or marital status;

- 11) Considering that portion of treatment attributed to complications of pregnancy in a manner different than any other illness or sickness covered by the contract, certificate, notice, policy, endorsement or rider;
- 12) Limiting the amount of coverage an insured or prospective insured may purchase based upon the sex, sexual preference or marital status of the insured or prospective insured;
- 13) Denying maternity coverages to an individual who has not purchased dependent or family coverage when maternity coverages are otherwise available.