



General Assembly

Substitute Bill No. 5019

January Session, 2009

* HB05019INS 030609 *

AN ACT PROHIBITING THE USE OF CERTAIN PRESCRIPTION DRUG HISTORY AS AN UNDERWRITING TOOL TO DENY INDIVIDUAL HEALTH INSURANCE COVERAGE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (h) of section 38a-481 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *January 1, 2010*):

4 (h) No insurance company, fraternal benefit society, hospital service
5 corporation, medical service corporation, health care center or other
6 entity [which] that delivers, issues for delivery, amends, renews or
7 continues an individual health insurance policy in this state [on or
8 after October 1, 2003, may] shall: (1) [move] Move an insured
9 individual from a standard underwriting classification to a
10 substandard underwriting classification after the policy is issued; [or]
11 (2) increase premium rates due to the claim experience or health status
12 of an individual who is insured under the policy, except that the entity
13 may increase premium rates for all individuals in an underwriting
14 classification due to the claim experience or health status of the
15 underwriting classification as a whole; or (3) use an individual's
16 history of taking a particular prescription drug for anxiety on a short-
17 term basis as a factor in its underwriting unless such history derives
18 directly from a medical diagnosis of an underlying condition.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>January 1, 2010</i>	38a-481(h)
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INS *Joint Favorable Subst.*