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**Testimony of
Christine Palm
Communications Director
The Permanent Commission on the Status of Women
Before the
Insurance & Real Estate Committee
March 4, 2014**

Re: H.B. 5363, AA Prohibiting Gender Rating as a Rating Factor for Long-Term Care Insurance Policies

Senators Crisco and Kelly, Representatives Megna and Sampson, and members of the committee: thank you for this opportunity to provide testimony on behalf of the Permanent Commission on the Status of Women (PCSW) in favor of **H.B. 5363, AA Prohibiting Gender Rating as a Rating Factor for Long-Term Care Insurance Policies**, which would prohibit insurers from using gender as a factor in underwriting or rating for long-term care insurance policies.

From my personal experience, long-term care (LTC) is invaluable in helping elders stay in their homes. I have power of attorney for both my mother and my mother-in-law. They are both 94-year-old widows, and live in the same assisted living facility. However, my own mother has LTC, while my mother-in-law does not. Consequently, one will most likely be able to stay there until she dies, while the other may be forced to move, when her money runs out, in about a year.

As my two mothers can attest, women tend to live longer, on average, than men do. Consequently, they also tend to live longer into their old age with financial insecurity.

Impact on CT Women: Of the state's female population, 16% (293,745) are 65 years of age or over.¹

So, the availability and affordability of Long-Term Care insurance would be a real boon to many Connecticut residents.

However, gender rating in long-term care policies unfairly disadvantages women. This practice violates the Affordable Care Act's anti-discrimination rule, which protects individuals from discrimination on the basis of sex (as well as race, color, national origin, age, disability, gender identity, and sex stereotypes) in health care. This is the first law to ban gender discrimination in health care nationwide and applies to virtually all aspects of the

¹ U.S. Census Bureau (2010). American Fact Finder, 2010 Profiles of General Population and Housing Characteristics.

health care system, including long-term care insurance. As of 2010, between seven and nine million Americans had long-term care insurance policies and approximately 57 percent of them were women.

According to Marcia D. Greenberger, co-president of the National Women's Law Center (NWLC), "By gender rating their long-term care insurance policies, these companies are charging women 20 to 40 percent more than men for the same product. Requiring women to pay higher prices just because they are women is wrong, unfair and, thanks to the Affordable Care Act, is now illegal sex discrimination."² In January of this year, NWLC filed sex discrimination complaints against four of the country's largest insurance companies, Genworth Financial (which happens to be my mother's insurer), John Hancock, Transamerica and Mutual of Omaha, to address this issue.

Passage of this bill would prohibit sex discrimination in obtaining long-term care insurance policies. I believe actuarial longevity tables and insurance company profits must be weighed against the consequences of this discriminatory practice which penalizes women for tending to live longer than men. We look forward to working with you to address this important issue. Thank you for your consideration.

² *National Women's Law Center (January 16, 2014). NWLC Files Groundbreaking Complaints Against Four Companies for Sex Discrimination in Long-Term Care Insurance. Retrieved from <<http://www.nwlc.org/press-release/nwlc-files-groundbreaking-complaints-against-four-companies-sex-discrimination-long-te>>.*