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SENATE BILL 5655

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State of Washington                      52nd Legislature                      1991 Regular Session

By Senators von Reichbauer, Talmadge, Moore and McMullen.

Read first time February 13, 1991. Referred to Committee on Financial Institutions & Insurance.

1            AN ACT Relating to unfair discrimination in insurance based upon  
2 choice of health care practitioner; amending RCW 48.30.300; and  
3 declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            **Sec. 1.** RCW 48.30.300 and 1975-'76 2nd ex.s. c 119 s 7 are each  
6 amended to read as follows:

7            No person or entity engaged in the business of insurance in this  
8 state shall refuse to issue any contract of insurance or cancel or  
9 decline to renew such contract because of the sex ~~((or))~~, marital  
10 status, or choice of health care provider, or the presence of any  
11 sensory, mental, or physical handicap of the insured or prospective  
12 insured. The amount of benefits payable, or any term, rate, condition,  
13 or type of coverage shall not be restricted, modified, excluded,  
14 increased or reduced on the basis of the sex ~~((or))~~, marital status, or  
15 choice of health care provider, or be restricted, modified, excluded,

1 or reduced on the basis of the presence of any sensory, mental, or  
2 physical handicap of the insured or prospective insured. These  
3 provisions shall not prohibit fair discrimination on the basis of sex,  
4 ((or)) marital status, or choice of health care provider, or the  
5 presence of any sensory, mental, or physical handicap, when bona fide  
6 statistical differences in risk or exposure have been substantiated.  
7 For purposes of this section, "health care provider" means those health  
8 professions specified in RCW 18.120.020(4) except embalmers and funeral  
9 directors under chapter 18.39 RCW, veterinarians and animal technicians  
10 under chapter 18.92 RCW, and persons registered or certified under  
11 chapter 18.19 RCW.

12 NEW SECTION. Sec. 2. This act is necessary for the immediate  
13 preservation of the public peace, health, or safety, or support of the  
14 state government and its existing public institutions, and shall take  
15 effect immediately.