

CR 86-229

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STATE OF WISCONSIN
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MAR 30 1987

DOUGLAS LA FOLLETTE
SECRETARY OF STATE

STATE OF WISCONSIN)
)
OFFICE OF THE COMMISSIONER OF INSURANCE)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Randy Blumer, Deputy Commissioner of Insurance and custodian of the official records of said office, do hereby certify that the annexed order amending and creating a rule relating to unfair discrimination in life and disability insurance was issued by this office on March 26, 1987.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name in the City of Madison, State of Wisconsin, this 26th day of March, 1987.

Randy Blumer

Randy Blumer
Deputy Commissioner of Insurance

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6-1-87

STATE OF WISCONSIN
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MAR 30 1987

DOUGLAS LA FOLLETTE
SECRETARY OF STATE

ORDER OF THE COMMISSIONER OF INSURANCE

To amend Ins 6.67 (title); to create Ins 6.67 (2m); and to create Ins 6.67 (4) relating to unfair discrimination in life and disability insurance.

ANALYSIS PREPARED BY THE COMMISSIONER OF INSURANCE

This rule interprets section 628.34 (3) (a), Stats.

The purpose of this rule is to expand the scope of Ins 6.67 beyond unfair discrimination in life and disability insurance based only on physical or mental impairment to include unfair discrimination in life and disability insurance generally. This rule also indicates that insurers may not refuse to insure, to continue to insure, to limit coverage, or charge a different rate because of sexual orientation.

This provision is similar to guidelines proposed by the National Association of Insurance Commissioner's Advisory Committee on AIDS.

Pursuant to the authority vested in the Office of the Commissioner of Insurance by section 601.41 (3), Stats., the Office of the Commissioner of Insurance hereby creates a rule interpreting section 628.34 (3) (a), Stats., as follows:

SECTION 1. Ins 6.67 (1) (title) is amended to read:

Ins 6.67 UNFAIR DISCRIMINATION IN LIFE AND DISABILITY INSURANCE.

SECTION 2. Ins 6.67 (2m) is created to read:

Ins 6.67 (2m) DEFINITIONS. In this section: (a) "Disability insurance" has the meaning given under s. Ins 6.75 (1) (c).

(b) "Territorial classification" means an arrangement of persons into categories based upon geographic characteristics other than zip code.

SECTION 3. Ins 6.67 (4) is created to read:

Ins 6.67 (4) SEXUAL ORIENTATION. (a) An insurer may not use sexual orientation in the underwriting process or in the determination of insurability, premium, terms of coverage, or nonrenewal.

(b) No insurer may include an inquiry about the applicant's or insured's sexual orientation in an application for disability or life insurance coverage or directly or indirectly investigate in connection with an application for disability or life insurance coverage the applicant's or insured's sexual orientation.

(c) No insurer may use the marital status, occupation, gender, medical history, beneficiary designation, or the zip code or territorial classification of an applicant or insured or any other factor to establish, or aid in establishing, the applicant's or insured's sexual orientation.

EFFECTIVE DATE. Pursuant to s. 227.22 (2), Stats., this rule will become effective on the first day of the month commencing after the date of publication.

Dated at Madison, Wisconsin this 26th day of March, 1987.

Randy Blumer

Randy Blumer
Deputy Commissioner of Insurance

The State of Wisconsin
Office of the Commissioner of Insurance



Thomas P. Fox
Commissioner
(608) 266-3585

RECEIVED

MAR 30 1987

DATE: March 30, 1987

TO: Gary Poulson

Revisor of Statutes
Bureau

FROM: Mary Grossman, Director
Office of Policy Analysis

SUBJECT: Ins 6.67, Clearinghouse Number 86-229

Enclosed are two copies of an Order of the Commissioner of Insurance amending and creating Ins 6.67 relating to unfair discrimination in life and disability insurance.

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Enclosure
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