

**MODEL REGULATION ON UNFAIR DISCRIMINATION
ON THE BASIS OF BLINDNESS OR PARTIAL BLINDNESS**

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Section 1. Authority

This regulation is promulgated

U n f a i r T r a d e P r a c

Section 3. Unfairly Discriminatory Acts or Practices

The following are hereby identified as acts or practices that constitute unfair discrimination between members of the same class: refusing to insure, or refusing to continue to insure, or limiting the amount, extent, or type of coverage available to an individual, or charging an individual a different rate for the same coverage because of blindness or partial blindness.

Drafting Note: With respect to all other conditions, including the underlying cause of the blindness or partial blindness, persons who are blind or partially blind shall be subject to the same standards of sound actuarial principles or actual or reasonably anticipated experience as are sighted persons.

Refusal to insure includes denial by an insurer of disability insurance coverage on the grounds that the policy defines "disability" as being presumed in the event that the insured loses his or her eyesight.

However, an insurer may exclude from coverage disabilities consisting solely of blindness or partial blindness when the condition existed at the time the policy was issued. n. The NAICge available to

Chronological Summary of Actions (all references are to the Proceedings of the NAIC).

1978 Proc. II 31, 34, 266, 268, 273 (adopted).

1985 Proc. I 19, 37-38, 572-573 (amended).