

~~Section 1. Purpose~~  
Section 1. Model Law Purpose, Regulations, Guidelines

Section 2. Scope

Section 3. Definitions

Section 4. Unfairly Discriminatory Acts Relating to Disability Income Insurance

Section 5. Justification of Adverse Insurance Decisions

Section 6. Insurance Protocols for Subjects of Abuse

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Section 8. Effective Date

Introductory Note: In addition to this model act, the NAIC drafted the following model acts regarding unfair discrimination against subjects of abuse: The Unfair Discrimination Against Subjects of Abuse in Property and Casualty Insurance Model Act, The Unfair Discrimination Against Subjects of Abuse in Life Insurance Model Act, and The Unfair Discrimination Against Subjects of Abuse in Health Insurance Model Act.

**Section 1. Purpose**

The purpose of this Act is to prohibit unfair discrimination by disability income insurers and insurance professionals on the basis of abuse status. Nothing in this Act shall be construed to create or imply a private cause of action for a violation of this Act.

Drafting Note: Consideration was given to including a private cause of action for a violation of this Act. It was concluded that a private cause of action is not inconsistent with the model and that a state legislature could find that a private cause of action is appropriate for that state.

member, household member, intimate partner, or caretaker:

- (1) Attempting to cause or intentionally, knowingly or recklessly causing another person bodily injury, physical harm, severe emotional distress, psychological trauma, rape, sexual assault or involuntary sexual intercourse;
- (2) Knowingly engaging in a course of conduct or repeatedly committing acts toward another person including following the person without proper authority, under circumstances that

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- (4) Attempting to cause or intentionally, knowingly, or recklessly causing damage to property so as to intimidate or attempt to control the behavior of another person.

Drafting Note: States should include appropriate corrective or clarifying language if their ordinary law B6-3.9 ( In)ob[0-6.9 (e)12.tdT-0.6 (e)6 (i



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