

GENERAL ASSEMBLY OF NORTH CAROLINA  
1985 SESSION

CHAPTER 267  
SENATE BILL 379

AN ACT TO PROHIBIT DISCRIMINATION IN THE BUSINESS OF LIFE AND ACCIDENT AND HEALTH INSURANCE AND ANNUITIES AGAINST PERSONS WHO ARE BLIND OR PARTIALLY BLIND OR DEAF OR PARTIALLY DEAF.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-30.3 is amended by designating the present text as subsection (a) and by adding a new subsection to read:

"(b) No insurer shall refuse to insure or refuse to continue to insure an individual, limit the amount, extent, or kind of coverage available to an individual, or charge an individual a different rate for the same coverage, solely because of blindness or partial blindness or deafness or partial deafness. With respect to all other physical conditions, including the underlying cause of the blindness or partial blindness or deafness or partial deafness, individuals 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 individuals or individuals whose hearing is not impaired. Refusal to insure or refusal to continue to insure includes denial by an insurer providing disability insurance on the grounds that the policy defines disability as being presumed in the event that the insured loses his eyesight or hearing: Provided that an insurer providing disability insurance may except disability coverage for blindness, partial blindness, deafness, or partial deafness when those conditions existed at the time the application was made for the disability insurance policy. The provisions of this subsection shall be construed to supplement the provisions of G.S. 58-54.4(7) and G.S. 168-10. This subsection shall apply only to the underwriting of life insurance, accident, health, or accident and health insurance under this Chapter and General Statutes Chapter 57, and annuities."

Sec. 2. This act shall apply to life or accident and health policies, contracts, or certificates, or annuities that are delivered, issued for delivery, or renewed 90 days after the effective date of this act.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 28th day of May, 1985.