



466498

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/24/2023	.	
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The Committee on Rules (Collins) recommended the following:

Senate Amendment (with title amendment)

Delete lines 150 - 199

and insert:

as including within the definition of unfair discrimination or unlawful rebates the offer or provision by a life or health insurer or a life or health agent of the life or health insurer, including by or through an employee, an affiliate, or a third-party representative, of a value-added product or service at no or reduced cost when such product or service is not specified in the life or health insurance policy, if the product or service



12 relates to the insurance coverage and is primarily designed to
13 do one or more of the following:

14 (I) Provide loss mitigation or loss control;

15 (II) Reduce claim costs or claim settlement costs;

16 (III) Provide education about liability risks or risk of
17 loss to persons or property;

18 (IV) Monitor or assess risk, identify sources of risk, or
19 develop strategies for eliminating or reducing risk;

20 (V) Enhance health;

21 (VI) Enhance financial wellness through items such as
22 education or financial planning services;

23 (VII) Provide post-loss services;

24 (VIII) Incentivize behavioral changes to improve the health
25 or reduce the risk of death or disability of a policyholder,
26 potential policyholder, certificateholder, potential
27 certificateholder, insured, potential insured, or applicant; or

28 (IX) Assist in the administration of employee or retiree
29 benefit insurance coverage.

30 b. The cost to the life or health insurer or life or health
31 agent offering the product or service to a customer must be
32 reasonable in comparison to the customer's premiums or life or
33 health insurance coverage for the policy class.

34 c. If the life or health insurer or life or health agent is
35 providing the product or service, the life or health insurer or
36 life or health agent must ensure that the customer is provided
37 with contact information to assist the customer with questions
38 regarding the product or service.

39 d. The availability of the product or service must be based
40 on documented objective evidence, and the product or service



41 must be offered in a manner that is not unfairly discriminatory.
42 The documented evidence must be maintained by the life or health
43 insurer or life or health agent and produced upon request by the
44 office or the department.

45 e. If a life or health insurer or life or health agent has
46 a good faith belief, but does not have sufficient evidence to
47 demonstrate, that the product or service meets any of the
48 criteria in sub-sub-subparagraphs a.(I)-(IX), the life or health
49 insurer or life or health agent may provide the product or
50 service in a manner that is not unfairly discriminatory as part
51 of a pilot or testing program for up to 1 year. The life or
52 health insurer or life or health agent must notify the office or
53 department, as applicable, of such pilot or testing program
54 offered to consumers in this state before commencing the
55 program. The life or health insurer or life or health agent may
56 commence the program unless the office or department, as
57 applicable, objects to the program within 21 days after
58 receiving the notice.

59 f. A life or health insurer, life or health agent, or
60 representative thereof may not offer or provide life or health
61 insurance as an inducement to the purchase of

62
63 ===== T I T L E A M E N D M E N T =====

64 And the title is amended as follows:

65 Delete lines 8 - 11

66 and insert:

67 by life or health insurers or life or health agents if
68 certain conditions are met; providing requirements for
69 and restrictions on such insurers or agents offering



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or providing such products or services; authorizing
such insurers or agents to provide