

**HOUSE . . . . . No. 839**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Lori A. Ehrlich*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to tobacco premium ratings.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>

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By Ms. Ehrlich of Marblehead, a petition (accompanied by bill, House, No. 839) of Lori A. Ehrlich and others that the Commissioner of the Division of Insurance annually file with the United States Department of Health and Human Services to establish a standard tobacco use factor. Financial Services.

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The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act relative to tobacco premium ratings.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1: Section 3 of Chapter 176J of the General Laws is hereby amended by  
2 striking out subsection (5) and replacing it with the following subsection:-

3 (5) The commissioner shall annually file with the United States Department of Health  
4 and Human Services to establish a standard tobacco use factor which shall not exceed a ratio of  
5 one-to-one. A carrier may apply a tobacco use rate factor in a manner permitted under state and  
6 federal law that applies to both eligible small groups and eligible individuals; provided, however,  
7 that the carrier uses a certification of tobacco use process that has been approved by the  
8 commissioner to determine that eligible individuals and their eligible dependents or eligible  
9 small group employees and their eligible dependents have not used tobacco products within the  
10 past year.