

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1021 Session of 2023

INTRODUCED BY SANCHEZ, CURRY, DELLOSO, MADDEN, GUENST, BURGOS, KINSEY, HANBIDGE, HILL-EVANS, FLEMING, NEILSON, WARREN, N. NELSON, D. WILLIAMS, CERRATO, O'MARA, TAKAC AND VITALI, APRIL 24, 2023

AS RE-REPORTED FROM COMMITTEE ON INSURANCE, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 6, 2024

AN ACT

1 Prohibiting discrimination in certain life insurance policies
2 based on certain drugs.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as Lloyd's Law.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Adverse action." For an individual applicant or an
12 individual enrollee, or a group of which an individual applicant
13 or an individual enrollee is a part, if an individual applicant
14 or an individual enrollee has filled or is being prescribed an
15 opioid reversal agent, doing any of the following:

16 (1) Denying ~~or canceling~~, CANCELING OR REFUSING TO RENEW <--

1 insurance coverage for an applicant or enrollee.

2 (2) Limiting the amount, extent or kind of coverage
3 available to an applicant or enrollee.

4 (3) Charging an applicant or enrollee a rate that is
5 different from the rate charged to other applicants or
6 enrollees.

7 "Applicant." A group or an individual who seeks to obtain
8 coverage under an insurance policy from an insurer.

9 "Enrollee." A policyholder, subscriber or covered person
10 under an insurance policy.

11 "Insurance policy." A life insurance policy, subscriber
12 contract, certificate or plan that is offered, issued or renewed
13 by an insurer.

14 "Insurer." An entity licensed or authorized to conduct the
15 business of LIFE insurance that is governed under the act of May <--
16 17, 1921 (P.L.682, No.284), known as The Insurance Company Law
17 of 1921, including Article XXIV thereof.

18 Section 3. Prohibition on discrimination.

19 Notwithstanding any other provision of law, an insurer may
20 not take an adverse action on a life insurance policy against an
21 applicant or enrollee solely based on an individual applicant's
22 or enrollee's prior or current claim or obtainment of a
23 prescription for an opioid overdose reversal agent.

24 Section 4. Enforcement.

25 A violation of this act shall constitute:

26 (1) Unfair discrimination under section 353 of the act
27 of May 17, 1921 (P.L.682, No.284), known as The Insurance
28 Company Law of 1921.

29 (2) An unfair method of competition and unfair or
30 deceptive acts or practices under the act of July 22, 1974

1 (P.L.589, No.205), known as the Unfair Insurance Practices
2 Act.
3 Section 5. Effective date.
4 This act shall take effect in 60 days.