

Government of the District of Columbia
Department of Insurance, Securities and Banking



Gennet Purcell
Acting Commissioner

BULLETIN
09-IB-05-10/08

TO: ALL LIFE AND HEALTH INSURERS, HEALTH MAINTENANCE ORGANIZATIONS,
AND HOSPITAL AND MEDICAL SERVICE CORPORATIONS LICENSED TO DO
BUSINESS IN THE DISTRICT OF COLUMBIA

SUBJECT: PROHIBITION OF CONSIDERATION OF DOMESTIC VIOLENCE IN LIFE AND
HEALTH INSURANCE

FROM: GENNET PURCELL, ACTING COMMISSIONER

DATE: OCTOBER 8, 2009

This Bulletin is issued to provide guidance to all licensed life and health insurers, health maintenance organizations, and hospital and medical service corporations regarding the use of information concerning domestic violence or abuse in life and health insurance. D.C. Official Code §31-2231.11(a) and (b) prohibit unfair discrimination in life and health insurance. This bulletin provides the position of the Department of Insurance Securities and Banking ("Department") regarding the use of information concerning domestic violence in life and health insurance pursuant to D.C. Official Code §31-2231.11(a) and (b). It is the position of the Department that if an individual is a victim of domestic violence or subject to abuse, an insurer, health maintenance organization, or hospital and medical services corporation may not use information about abuse or the individual's status as a victim of domestic violence to:

- (1) cancel, refuse to underwrite or renew, or refuse to issue a policy of life insurance or health insurance or a health benefits plan;
- (2) refuse to pay a claim, cancel, or otherwise terminate a policy of life insurance or health insurance or a health benefits plan;
- (3) increase rates for life insurance, health insurance, or a health benefits plan; or
- (4) for policies of life insurance or health benefits plans, add a surcharge, apply a rating factor, or use any other underwriting practice that adversely takes the information into account.

For purposes of this Bulletin, a victim of domestic violence means an individual who:

- (1) has received deliberate, severe, and demonstrable physical injury from a current or former spouse, current or former cohabitant, current or former intimate partner, or a person with who the person shares a common child; or
- (2) is in fear of imminent deliberate, severe, and demonstrable physical injury from a current or former spouse, current or former cohabitant, current or former intimate partner, or a person with who the person shares a common child.

If you have any questions about this Bulletin, please contact Philip Barlow, Associate Commissioner for Insurance, at (202) 442-7823 or philip.barlow@dc.gov.