

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Liston

1 Amend the Business, Labor, and Technology Committee Report, dated
2 May 3, 2021, page 4, line 21, strike "UNDERWRITING" and substitute
3 "UNDERWRITING, INCLUDING A LIFE INSURER'S TRADITIONAL RISK
4 ASSESSMENT PROCESS,".

5 Page 4, line 26, strike "OCCUPATION,".

6 Page 4, after line 30 insert:

7 "(d) "LIFE INSURER'S TRADITIONAL RISK ASSESSMENT PROCESS"
8 MEANS, IN CONNECTION WITH LIFE INSURANCE, ANNUITIES, LONG-TERM
9 CARE, AND DISABILITY INCOME INSURANCE:

10 (I) USING INFORMATION ABOUT AN INDIVIDUAL TO THE EXTENT
11 OTHERWISE PERMITTED BY LAW IN ORDER TO EVALUATE WHETHER:

12 (A) THE INDIVIDUAL HAS ACCURATELY DISCLOSED THE
13 INDIVIDUAL'S IDENTITY OR THE BASIS OF THE INDIVIDUAL'S CLAIM FOR
14 BENEFITS;

15 (B) INSURANCE COVERAGE IS SUPPORTED BY A VALID INSURABLE
16 INTEREST;

17 (C) THE AMOUNT OF INSURANCE COVERAGE IS COMMENSURATE
18 WITH THE LEVEL OF RISK OR CREATES A MORAL HAZARD; OR

19 (D) A RECOMMENDATION IS SUITABLE OR CONSISTENT WITH THE
20 BEST INTERESTS OF A CONSUMER;

21 (II) USING OR VERIFYING THE ACCURACY OF INFORMATION
22 PROVIDED BY AN INDIVIDUAL OR ON THE INDIVIDUAL'S BEHALF, INCLUDING
23 THE INDIVIDUAL'S MEDICAL INFORMATION, AS PART OF AN INSURANCE
24 APPLICATION, ENROLLMENT PROCESS, OR CLAIMS SUBMISSION PROCESS
25 THAT OTHERWISE COMPLIES WITH LAW; AND

26 (III) ANY OTHER INSURANCE PRACTICES THE COMMISSIONER
27 SPECIFIES IN THE RULES ADOPTED PURSUANT TO THIS SECTION.".

28 Reletter succeeding paragraphs accordingly.

29 Page 4, line 34, strike "OUTCOME." and substitute "OUTCOME FOR
30 PURPOSES OF AN INSURANCE PRACTICE; HOWEVER, "PREDICTIVE MODEL"
31 DOES NOT INCLUDE A LIFE INSURER'S TRADITIONAL RISK ASSESSMENT
32 PROCESS.".

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