

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 894
HOUSE BILL 746

AN ACT TO ELIMINATE DISCRIMINATION IN THE TREATMENT OF HANDICAPPED
AND DISABLED PERSONS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 168 of the General Statutes of North Carolina is hereby amended by the addition of a new section thereto which shall be designated as G.S. 168-10 to read as follows:

"§ 168-10. Eliminate discrimination in treatment of handicapped and disabled. — Each handicapped person shall have the same consideration as any other person for individual accident and health insurance coverage, and no insurer, solely on the basis of such person's handicap, shall deny such coverage or benefits. The availability of such insurance shall not be denied solely due to the handicap, provided, however, that no such insurer shall be prohibited from excluding by waiver or otherwise, any pre-existing conditions from such coverage, and further provided that any such insurer may charge the appropriate premiums or fees for the risk insured on the same basis and conditions as insurance issued to other persons. Nothing contained herein or in any other statute shall restrict or preclude any insurer governed by Chapter 57 or Chapter 58 of the General Statutes from setting and charging a premium or fee based upon the class or classes of risks and on sound actuarial and underwriting principles as determined by such insurer, or from applying its regular underwriting standards applicable to all classes of risks."

Sec. 2. The provisions of this act shall apply to both corporations governed by Chapter 57 and Chapter 58 of the General Statutes.

Sec. 3. This act shall become effective on January 1, 1978.

In the General Assembly read three times and ratified, this the 1st day of July, 1977.