

## UNFAIR DISCRIMINATION AGAINST SUBJECTS OF ABUSE IN HEALTH BENEFIT PLANS MODEL ACT

### What are the state pages?

This chart is intended to provide readers with additional information to more easily access state statutes, regulations, bulletins or administrative rulings related to the NAIC model. Such guidance provides readers with a starting point from which they may review how each state has addressed the model and the topic being covered. The NAIC Legal Division has reviewed each state's activity in this area and has determined whether the citation most appropriately fits in the Model Adoption column, Previous Version column, or Related Activity column based on the definitions listed in the key below. The NAIC's interpretation may or may not be shared by the individual states or by interested readers.

### How do you use them?

States and territories are listed alphabetically in the chart. Locate the state or territory you are interested in, and depending on which column the citation falls under, you will know whether the NAIC Legal Division has deemed a state's law to be adoption of a model or not. To perform further research, use the citations to locate state laws.

### Who do I speak to if I have questions?

If you have questions or believe information related to a state should be updated, please contact Jennifer Neuerburg at [jneuerburg@naic.org](mailto:jneuerburg@naic.org).

***Disclaimer:** This chart does not constitute a formal legal opinion by the NAIC staff on the provisions of state law and should not be relied upon as such. Nor does this state page reflect a determination as to whether a state meets any applicable accreditation standards. Every effort has been made to provide correct and accurate summaries to assist readers in locating useful information. Readers should consult state law for further details and for the most current information.*

**UNFAIR DISCRIMINATION AGAINST SUBJECTS OF ABUSE  
IN HEALTH BENEFIT PLANS MODEL ACT**

**STATE PAGE KEY:**

**MODEL ADOPTION:** States that have citations identified in this column adopted the most recent version of the NAIC model in a **substantially similar manner**. This requires states to adopt the model in its entirety but does allow for variations in style and format. States that have adopted portions of the current NAIC model will be included in this column with an explanatory note.

**PREVIOUS VERSION:** States that have citations identified in this column (and nothing listed in the Model Adoption column) have enacted an older version of the model but have **not** adopted the most recent version of the NAIC model.

**RELATED ACTIVITY:** Examples of Related Activity include but are not limited to statutes or regulations addressing the same subject matter, or other administrative guidance such as bulletins and notices. States that have citations identified in this column (and nothing listed in the Model Adoption column) have **not** adopted the most recent version of the NAIC model in a **substantially similar manner**.

**NO CURRENT ACTIVITY:** No state activity on the topic as of the date of the most recent update. This includes states that have repealed legislation as well as states that have never adopted legislation.

NAIC MEMBER	MODEL ADOPTION	PREVIOUS VERSION	RELATED ACTIVITY
Alabama			ALA. CODE ANN. § 27-55-3 (2000).
Alaska			ALASKA STAT. § 21.36.430 (1997/2001); § 21.54.100 (1997).
American Samoa	NO CURRENT ACTIVITY		
Arizona			ARIZ. REV. STAT. ANN. § 20-448 (1996/2001).
Arkansas			ARK. CODE ANN. § 23-86-306 (1998).
California			CAL. INS. CODE § 10198.9 (1996/1998); CAL. HEALTH & SAFETY CODE § 1374.75 (1995); § 1357.503 (2015).
Colorado			COLO. REV. STAT. § 10-3-1104.8 (1998).
Connecticut			CONN. GEN. STAT. § 38a-816(18) (1995/2003).
Delaware			DEL. CODE ANN. tit. 18, § 2302(5); § 2304(24); § 2304(25) (1996).

**UNFAIR DISCRIMINATION AGAINST SUBJECTS OF ABUSE  
IN HEALTH BENEFIT PLANS MODEL ACT**

<b>NAIC MEMBER</b>	<b>MODEL ADOPTION</b>	<b>PREVIOUS VERSION</b>	<b>RELATED ACTIVITY</b>
District of Columbia			D.C. CODE § 31-2231.11 (2012); BULLETIN 09-005-IB (2009).
Florida			FLA. STAT. § 626.9541 (1976/2014); § 627.65625 (1997); § 641.31073 (1997).
Georgia			GA. CODE ANN. § 33-6-4 (1972/2002).
Guam	NO CURRENT ACTIVITY		
Hawaii			HAW. REV. STAT. § 431:10-217.5 (1998).
Idaho	NO CURRENT ACTIVITY		
Illinois			215 ILL. COMP. STAT. 5/155.22a (1997/2004).
Indiana			IND. CODE §§ 27-8-24.3-1 to 27-8-24.3-10 (1996).
Iowa			IOWA CODE § 507B.4 (1955/2002); § 513B.9A (1997).
Kansas	KAN. STAT. ANN. § 40-2404 (1955/2001).		
Kentucky			KY. REV. STAT. ANN. § 304.12-211 (2000); § 304.17a-155 (1998); § 304.17A-200 (2015).
Louisiana			LA. REV. STAT. ANN. § 22:1078 (2010).
Maine			ME. REV. STAT. ANN. tit. 24-A, § 2159-B (1996/2001).
Maryland			MD. CODE ANN., INS. § 27-504 (1957/1997).

**UNFAIR DISCRIMINATION AGAINST SUBJECTS OF ABUSE  
IN HEALTH BENEFIT PLANS MODEL ACT**

<b>NAIC MEMBER</b>	<b>MODEL ADOPTION</b>	<b>PREVIOUS VERSION</b>	<b>RELATED ACTIVITY</b>
Massachusetts			MASS. GEN. LAWS ch. 176A, § 3A; MASS. GEN. LAWS ch. 176B, § 5A; MASS. GEN. LAWS ch. 176G, § 19 (1996); BULLETIN No. B-96-01 (1996).
Michigan			MICH. COMP. LAWS § 500.2246 (1956/1998); § 500.3406j (1956/1998); § 550.1401 (1980/2003).
Minnesota			MINN. STAT. § 72A.20 (1967/2002).
Mississippi	MISS. CODE ANN. §§ 83-71-1 to 83-71-15 (2010).		
Missouri			MO. REV. STAT. § 375.1312 (1999/2013) (group); § 376.451 (2008).
Montana			MONT. CODE ANN. § 33-18-216 (1997).
Nebraska	NEB. REV. STAT. §§ 44-7401 to 44-7410 (1998) (portions of model).		
Nevada			NEV. REV. STAT. § 689B.068 (1997); § 689A.413 (1997); § 695C.203 (1997); § 689C.196 (1997); § 689B.550 (2001); § 689C.193 (2014).
New Hampshire			N.H. REV. STAT. ANN. § 417:4 (1947/2004).
New Jersey			N.J. REV. STAT. §§ 17:29B-16 to 17:29B-19 (2003); N.J. ADMIN. CODE §§ 11:4-42.1 to 11:4-42.5 (1996/2004) (group).
New Mexico	N.M. STAT. ANN. §§ 59A-16B-1 to 59A-16B-10 (1997).		N.M. STAT. ANN. § 59A-23E-11 (1998); 13 N.M. CODE R. §§ 7.5.1 to 7.5.17 (1999) (insurers' duty regarding confidential abuse information).

**UNFAIR DISCRIMINATION AGAINST SUBJECTS OF ABUSE  
IN HEALTH BENEFIT PLANS MODEL ACT**

<b>NAIC MEMBER</b>	<b>MODEL ADOPTION</b>	<b>PREVIOUS VERSION</b>	<b>RELATED ACTIVITY</b>
New York			N.Y. INS. LAW § 2612 (1996).
North Carolina			N.C. GEN. STAT. § 58-68-35 (1997); 11 N.C. ADMIN. CODE 12.1901 (2017).
North Dakota	NO CURRENT ACTIVITY		
Northern Marianas	NO CURRENT ACTIVITY		
Ohio			OHIO REV. CODE ANN. § 3901.21 (1970/1999).
Oklahoma			OKLA. STAT. tit. 36, § 6060.10A (2010); tit. 36, § 4502 (2015).
Oregon			OR. REV. STAT. § 746.015 (1967/2013).
Pennsylvania			40 PA. CONS. STAT. §§ 1171.1 to 1171.15 (1974/2014).
Puerto Rico	P.R. LAWS ANN. tit. 26, §§ 10371 to 10377 (2011).		
Rhode Island	R.I. GEN. LAWS §§ 27-60-1 to 27-60-7 (1997).		
South Carolina			S.C. CODE ANN. § 38-71-860 (1997).
South Dakota			S.D. CODIFIED LAWS § 58-33-13.3 (2010); § 58-18B-27 (1995/1997) (small group).
Tennessee	TENN. CODE ANN. §§ 56-8-201 to 56-8-206 (1996).		
Texas			TEX. INS. CODE ANN. §§ 544.151 to 544.158 (2003/2005).
Utah			UTAH CODE ANN. §§ 31a-21-501 to 31a-21-506 (1997/2013).

**UNFAIR DISCRIMINATION AGAINST SUBJECTS OF ABUSE  
IN HEALTH BENEFIT PLANS MODEL ACT**

<b>NAIC MEMBER</b>	<b>MODEL ADOPTION</b>	<b>PREVIOUS VERSION</b>	<b>RELATED ACTIVITY</b>
Vermont	NO CURRENT ACTIVITY		
Virgin Islands	NO CURRENT ACTIVITY		
Virginia			VA. CODE ANN. § 38.2-508 (1986/2013).
Washington			WASH. REV. CODE ANN. § 48.18.550 (1998).
West Virginia			W. VA. CODE § 33-4-20 (1997).
Wisconsin			WIS. STAT. § 631.95 (2000).
Wyoming			WYO. STAT. ANN. § 26-19-107 (1967/2006).