

HOUSE No. 1076

The Commonwealth of Massachusetts

PRESENTED BY:

Lori A. Ehrlich

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to tobacco premium ratings.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-------------------------------|------------------------------------------|------------------|
| <i>Lori A. Ehrlich</i> | <i>8th Essex</i> | <i>1/29/2021</i> |
| <i>Angelo J. Puppolo, Jr.</i> | <i>12th Hampden</i> | <i>2/24/2021</i> |
| <i>Tami L. Gouveia</i> | <i>14th Middlesex</i> | <i>2/25/2021</i> |
| <i>David Paul Linsky</i> | <i>5th Middlesex</i> | <i>2/26/2021</i> |
| <i>Jack Patrick Lewis</i> | <i>7th Middlesex</i> | <i>2/26/2021</i> |
| <i>Joanne M. Comerford</i> | <i>Hampshire, Franklin and Worcester</i> | <i>3/4/2021</i> |

HOUSE No. 1076

By Ms. Ehrlich of Marblehead, a petition (accompanied by bill, House, No. 1076) of Lori A. Ehrlich and others that the Commissioner of the Division of Insurance be directed to annually file with the United States Department of Health and Human Services to establish a standard tobacco use factor. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 964 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to tobacco premium ratings.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1: Section 3 of Chapter 176J of the General Laws is hereby amended by
2 striking out subsection (5) and replacing it with the following subsection:-

3 (5) The commissioner shall annually file with the United States Department of Health
4 and Human Services to establish a standard tobacco use factor which shall not exceed a ratio of
5 one-to-one. A carrier may apply a tobacco use rate factor in a manner permitted under state and
6 federal law that applies to both eligible small groups and eligible individuals; provided, however,
7 that the carrier uses a certification of tobacco use process that has been approved by the
8 commissioner to determine that eligible individuals and their eligible dependents or eligible

9 small group employees and their eligible dependents have not used tobacco products within the
10 past year.