

SENATE No. 698

The Commonwealth of Massachusetts

PRESENTED BY:

Joan B. Lovely

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 prohibiting discrimination in insurance on the basis of having a naloxone prescription.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joan B. Lovely</i>	<i>Second Essex</i>	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/8/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>3/15/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>3/15/2021</i>

SENATE No. 698

By Ms. Lovely, a petition (accompanied by bill, Senate, No. 698) of Joan B. Lovely, Michael O. Moore, Susan L. Moran and Elizabeth A. Malia for legislation to prohibit discrimination in insurance on the basis of having a naloxone prescription. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2416 OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act prohibiting discrimination in insurance on the basis of having a naloxone prescription.

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

1 Chapter 175 of the General Laws is hereby amended by inserting after section 120F the
2 following section:-

3 Section 120G. No insurer, agent or broker authorized to issue policies on the lives of
4 persons in the commonwealth shall cancel, refuse to issue or renew, make or permit any
5 distinction or discrimination in the amount or payment of premiums or rates charged or
6 otherwise differentiate or discriminate against a person based solely on the person having a
7 prescription to carry or possess the drug naloxone.

8 Prior to making an underwriting decision, an insurer, agent or broker shall obtain
9 information sufficient to determine if an applicant has obtained such a prescription for a reason
10 not relevant to the applicant's health.

11 Practices prohibited under this section shall include practices that are overtly
12 discriminatory, and practices and devices that are fair in form but discriminatory in practice.

13 A violation of this section shall constitute an unfair method of competition or an unfair or
14 deceptive act or practice in violation of chapter 176D.