

**§2850-C. Nondiscrimination**

**1. Application.** This section applies to group medical insurance contracts subject to chapter 35 other than contracts designed to cover specific diseases, hospital indemnity or accidental injury only. [PL 1997, c. 445, §30 (NEW); PL 1997, c. 445, §32 (AFF).]

**2. Eligibility and premium contributions.** A carrier may not establish rules for eligibility of an individual to enroll, or require an individual to pay a premium or contribution that is greater than that for a similarly situated individual, based on health status, medical condition, claims experience, receipt of health care, medical history, genetic information, evidence of insurability or disability in relation to the individual or a dependent of the individual. Nothing in this section requires a group health plan to provide particular benefits other than those provided under the terms of the plan or restricts the amount an employer may be charged for coverage. Nothing in this section prohibits establishing limitations or restrictions on the amount, level, extent or nature of the benefits for similarly situated individuals enrolled in the plan. Nothing in this section prohibits a carrier from establishing premium discounts or refunds or modifying applicable copayments or deductibles in return for adherence to programs of health promotion and disease prevention. [PL 1997, c. 445, §30 (NEW); PL 1997, c. 445, §32 (AFF).]

**3. Applicability of section 4320-L.** In addition to the requirements of this section, a carrier is subject to section 4320-L. [PL 2019, c. 5, Pt. C, §1 (NEW).]

**SECTION HISTORY**

PL 1997, c. 445, §30 (NEW). PL 1997, c. 445, §32 (AFF). PL 2019, c. 5, Pt. C, §1 (AMD).

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