

1999 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1371

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1371

House Industry, Business and Labor Committee

Conference Committee

Hearing Date 01-25-99

Tape Number	Side A	Side B	Meter #
2		x	30.4 - end
3	x		0.0 - 20.2
Committee Clerk Signature <i>Lisa Horner</i>			

Minutes: Rep. Sally Sandvig: introduced bill 1371 relating to unfair insurance practices with respect to persons involved in domestic violence. See written testimony.

Vice Chairman Kempenich: Do insurance companies ask if they have been involved in domestic violence?

Rep. Sandvig: It can be used as criteria for deciding whether or not if they can get insurance or not. So they probably do ask that question on their applications.

Rep. Klein: You said that victims of abuse see their doctors and are afraid to report it to the insurance, yet you also said that this does not affect the insurance premium. How is that possible?

Rep. Sandvig: There are people that will go to the Dr. and have their injuries treated. That is where it's recorded. There are others cases where people will go in with injures and will not say

it's from domestic violence, and that's what is not recorded and not considered an insurance factor. These ones that are not reported in are factored in to the insurance cost.

Vice Chairman Kempenich: Are these victims trying to correct the situation they are in? Are there any requirements for them to correct this?

Rep. Sandvig: I would assume that they are out of the situation when trying to apply for insurance.

Susan Anderson: Legal Counsel for ND Insurance Dept. See written testimony.

Chairman Berg: Are you saying that section D is covered under section B, with the exception of the liability insurance?

S. Anderson: Yes, That is correct.

End of tape 2. Start tape 3.

Rep. Keiser: In a health care policy premiums are based on usage. If you have a very abusive case and receiving significant amounts of medical treatment, whether they claim this or not, the Ins. Co. could not increase the rates even with the amount of usage?

S. Anderson: Yes. What Rep. Sandvig was trying to get at was that if you come in time and time again, it's factored into the rates already.

Rep. Keiser: For the Ins. Co., they could have a policy that has a negative impact and they could not increase the rate, as it would be discriminatory.

S. Anderson: Yes.

Bonnie Palecek: for NDCAWS. See written testimony and proposed amendments.

Sherry Mills Moore: Attorney in Bismarck, for bill 1371. These people should not be denied these benefits just because violence.

Testifying in opposition.

Tom Smith: Attorney representing Domestic Ins. Co's. and others. All insurance applications have to be filed and approved by the Ins. Commisioners office along with the policy and everything else. To my knowledge, none of the Ins. commissioner's have ever questioned a case yet. Labor union plans are self funded, or self-insured plans. This is as much as 35-40% of the population today. This group pulled out of the group that you cannot do anything about. This bill does not address the Intentional Acts exclusion. If you have a preexisting condition, under this bill, The condition doesn't exist. This bill may create many problems.

Rep.Klein: If you have two companies with the same type of policy, and one has domestic violence claims ten times the amount as the other, will the rates be the same?

Mr. Smith: I'm not sure, but that is a possibility. To some extent they do use some experience as far as how much you have utilized the benefits under the policy.

Kent Olson: for the NDPIA. The bill has a noble intent, but the problems that we see is that there is no allowance for prosecution for domestic abuse. We cannot find any cases where people have been turned down on an application because of domestic abuse. Currently, domestic abuse is not an underwriting factor.

Dan Ulmer: BC/BS OF ND. The word "solely" should be left in or we would be discriminating against a person because of abuse.

Rep. Ekstrom: Does any of the information from the Dr.'s. office get transferred to the insurance company?

Mr. Ulmer: I don't know. No Dr. has ever asked me that.

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House Industry, Business and Labor Committee

Bill/Resolution Number HB1371

Hearing Date 01-25-99

Mr. Smith: Not only did BC/BS increase their rates, they also increased their coinsurance payments.

Chairman Berg: closed the hearing.

Committee action on bill # 1371

Meter 26.3 - 27.7

Rep. Keiser: moved for a Do Not Pass.

Rep. Severson: Second the motion.

Motion carries.

Date: 1-25-99
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1371

House Industry, Business and Labor Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken do not pass

Motion Made By Keiser Seconded By Severson

Representatives	Yes	No	Representatives	Yes	No
Chair - Berg	/		Rep. Thorpe		
Vice Chair - Kempenich	/				
Rep. Brekke	/				
Rep. Eckstrom		/			
Rep. Froseth	/				
Rep. Glassheim		/			
Rep. Johnson	/				
Rep. Keiser	/				
Rep. Klein	/				
Rep. Koppang	/				
Rep. Lemieux					
Rep. Martinson		/			
Rep. Severson	/				
Rep. Stefonowicz		/			

Total (Yes) 9 No 4

Absent 2

Floor Assignment Kempenich

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 26, 1999 8:45 a.m.

Module No: HR-16-1166
Carrier: Kempenich
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1371: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HB 1371 was placed on the Eleventh order on the calendar.

1999 TESTIMONY

HB 1371

**TESTIMONY
HB 1371
IBL COMMITTEE
1-25-99 1:00 P.M.
BY REPRESENTATIVE SALLY M. SANDVIG**

CHAIRMAN BERG AND MEMBERS OF THE IBL COMMITTEE:

FOR THE RECORD I'M REPRESENTATIVE SALLY M. SANDVIG FROM DISTRICT 21 IN FARGO. I'M HERE TO START THE TESTIMONY IN FAVOR OF HB 1371.

THIS BILL IS A RESULT OF INFORMATION THAT I GAINED AT A WOMEN'S LEGISLATIVE LOBBY (WILL) NATIONAL CONFERENCE THAT WAS HELD IN WASHINGTON, DC IN 1997 WHICH I ATTENDED. IT WAS THERE THAT I REALIZED THAT INSURANCE DISCRIMINATION AGAINST VICTIMS OF DOMESTIC VIOLENCE WAS A PROBLEM. INSURERS ARE PREVENTING VICTIMS OF ABUSE FROM GETTING INSURANCE AND ALSO FROM GETTING THEIR POLICIES RENEWED. WOMEN'S SHELTERS ARE BEING DENIED HEALTH INSURANCE . 31 STATES HAVE NOW TAKEN ACTION TO PROHIBIT INSURANCE DISCRIMINATION. I THOUGHT THAT NORTH DAKOTA SHOULD GET ON THE BAND WAGON AND JOIN THAT GROUP. CURRENTLY WE HAVE NO LAWS PROHIBITING THIS DISCRIMINATION AND THE FEDERAL GOVERNMENT HAS NOT PASSED, NOR DOES IT HAVE ANYTHING PENDING DEALING WITH SUCH ISSUES.

INSURANCE COMPANIES USE DOMESTIC VIOLENCE AS AN UNDERWRITING CRITERIA AND CAN DENY COVERAGE BASED ON ABUSE RELATED CLAIMS AND CONDITIONS. RELEASES SIGNED WHEN APPLYING FOR INSURANCE ALLOW THE INSURER TO OBTAIN MEDICAL RECORDS THAT REVEAL ABUSE WHICH HEALTH CARE OFFICIALS MUST HAVE DOCUMENTED FOR THE PURPOSE OF PROVIDING HELP AND REFERRALS. DATA BASES FROM COMPANIES ON RISK FACTORS REPORT CLIENT RISK FACTORS OR REQUEST RELATED INFORMATION ON APPLICANTS AND REPORT THESE TO COMPANIES THAT ARE THEIR MEMBERS. POLICE REPORTS, PUBLIC COURT DOCUMENTS, AND CREDIT REPORTS CONTAIN INFORMATION ABOUT COURT ORDERS.

VICTIMS OF DOMESTIC VIOLENCE NOT ONLY LOSE THE BENEFITS THAT INSURANCE PROVIDES, BUT DON'T SEEK HELP BECAUSE OF FEAR OF LOSING THEIR INSURANCE. THEY CAN'T GET HEALTH CARE FOR THEMSELVES OR THEIR FAMILIES, OR PROVIDE FOR THEIR FAMILIES IN THE CASE OF DEATH OR DISABILITY. SOME FEEL THAT THEY HAVE NO ALTERNATIVE BUT TO STAY WITH THE ABUSER. THEY WON'T SEEK APPROPRIATE AND NECESSARY MEDICAL TREATMENT, COUNSELING, LEGAL INTERVENTION, ETC. , IF THEY KNOW THAT DOING THIS WILL DENY THEM INSURANCE, SINCE THEIR RECORDS ARE USED. THEY MAY NOT EVEN DISCLOSE DOMESTIC VIOLENCE AS A CAUSE FOR THEIR INJURIES. DR'S., HEALTH CARE WORKERS, AND OTHER SERVICE PROVIDERS MAY STOP DOCUMENTING ABUSE IF THE

PERSON REPORTING IT MIGHT LOSE THEIR INSURANCE. THIS WOULD UNDERMINE 20 YEARS OF WORK TRYING TO MAKE ASSISTANCE AVAILABLE. THE DEPARTMENT OF HEALTH AND HUMAN SERVICES SAYS 30% OF WOMEN'S EMERGENCY ROOM VISITS AND 1.4 MILLION DOCTORS VISITS EACH YEAR ARE RELATED TO DOMESTIC VIOLENCE.

EIGHT OF THE LARGEST INSURERS USE DOMESTIC VIOLENCE AS A FACTOR WHEN DECIDING WHETHER TO ISSUE INSURANCE AND HOW MUCH TO CHARGE. ACCORDING TO A PENNSYLVANIA SURVEY, 24% OF THEIR INSURERS USED DOMESTIC VIOLENCE AS A FACTOR ; 79% LIFE, 65% HEALTH AND 47% ACCIDENT. IN KANSAS IT WAS 65% FOR LIFE, 56% FOR HEALTH, AND 45% FOR ACCIDENT; AND THESE PRACTICES DIDN'T CHANGE AFTER A YEAR.

IN TEXAS SOME VICTIMS ARE TREATED AS IF THEY HAD A MENTAL ILLNESS OR AS IF IT'S A SYMPTOM OF UNDIAGNOSED ALCOHOLISM AND REQUIRE THE CONSIDERATION OF FAMILY STABILITY. SOME ARE REJECTED IF THEY'VE HAD TREATMENT FOR MENTAL HEALTH IN THE LAST 12 MONTHS. SOME COMPANIES CORRELATE DOMESTIC VIOLENCE WITH LOWER SOCIOECONOMIC CONDITIONS AND REQUIRE AN EVALUATION OF ENVIRONMENTAL FACTORS AND FAMILY OCCUPATIONAL STABILITY.

ALMOST 4 MILLION AMERICAN WOMEN WERE ABUSED IN 1993. INSURERS AREN'T REQUIRED TO TELL APPLICANTS WHY THEY WERE REJECTED SO THEY DON'T KNOW THAT DOMESTIC VIOLENCE WAS A REASON. THOSE WHO DO KNOW WON'T REPORT THE INSURANCE COMPANIES PRACTICES BECAUSE OF FEAR OF FURTHER VIOLENCE TO THEMSELVES OR THEIR CHILDREN, AS WELL AS SOCIAL STIGMA AND EMBARRASSMENT. INSURANCE COMPANIES DO NOT NEED TO FILE THE CRITERIA THEY USE IN DECIDING TO STATE INSURANCE DEPARTMENTS, OR DISCLOSE IT TO THE PUBLIC.

SOME REASONS FOR THE DENIAL OF HEALTH INSURANCE HAVE BEEN: BEATINGS BY HUSBAND, REPEATED TREATMENT FOR INJURIES CAUSED BY DOMESTIC VIOLENCE, ABUSE RELATED TO PREEXISTING CONDITIONS OF DEPRESSION OR OTHERS RELATED TO DOMESTIC VIOLENCE, SEXUAL ABUSE IN A DAY CARE FACILITY, AND MEDICAL OR PSYCHIATRIC PROBLEMS RELATED TO PAST ABUSE, ETC. LIFE INSURANCE DENIALS HAVE BEEN FOR SINGLE INCIDENTS OF DOMESTIC VIOLENCE, UNSTABLE FAMILY ENVIRONMENT BECAUSE OF MARITAL ASSAULTS AND MARITAL COUNSELING, AND ASSAULTS BY AN X BOYFRIEND. DISABILITY INSURANCE DENIALS INCLUDE: COUNSELING FOR SEXUAL ABUSE AS A CHILD, NERVOUS CONDITIONS DUE TO ABUSE AS A CHILD AND IN A PREVIOUS MARRIAGE, AND FOR ABUSE RELATED COUNSELING.

DOMESTIC VIOLENCE IS A CRIME, NOT A CAREER, LIFESTYLE, OR CHOICE. IT'S HARD FOR A VICTIM TO LEAVE AN ABUSIVE SITUATION, NOT TO MENTION CONCERNS FOR SAFETY AND ECONOMICS. INSURERS HAVE PRODUCED NO ACTUARIAL STUDIES SHOWING THAT DOMESTIC VIOLENCE IS A PARTICULAR RISK THAT CHANGES THE OVERALL COST OF INSURANCE. DOMESTIC VIOLENCE IS ALREADY FACTORED INTO THE PRICING OF INSURANCE WITHOUT IMPAIRING THE MARKET WHEN ABUSE REMAINS UNIDENTIFIED. SOMETIMES RISK FACTORS ARE NOT USED BECAUSE THEY WOULD NEGATIVELY IMPACT MARKETING , OR IT MIGHT BE MORE COST EFFECTIVE TO PAY CLAIMS . THESE ARE BASED ON ASSUMPTIONS AND STEREOTYPES.

IN LIFE INSURANCE THERE IS NO EVIDENCE THAT INSURANCE ENCOURAGES DOMESTIC VIOLENCE. BATTERERS ABUSE FOR POWER AND CONTROL, NOT PROFIT. NOT ALLOWING INSURANCE COVERAGE INCREASES HEALTH CARE COSTS ON SOCIETY. LAW PROTECTS INSURANCE COMPANIES FROM SUIT AND THE BENEFICIARY CANNOT COLLECT IF A PERSON IS SLAIN.

INSURERS CONSIDERATION OF HEALTH STATUS IS INCONSISTENT WITH COMMUNITY RATINGS AND GUARANTEED ISSUANCE. THIS LEGISLATION WILL NOT CREATE A SPECIAL CLASS.

IN 1996 THERE WERE 1,647 VICTIMS OF DOMESTIC VIOLENCE REPORTED THROUGH THE ND UNIFORM CRIME REPORTING(UCR) INCIDENT BASED REPORTING SYSTEM. LETS DO SOMETHING TO HELP THESE VICTIMS NOT BECOME VICTIMS OF INSURANCE DISCRIMINATION ON TOP OF WHAT THEY HAVE ALREADY GONE THROUGH! I HOPE YOU WILL GIVE THIS BILL A DO PASS RECOMMENDATION.

THANK YOU.

**HOUSE BILL NO. 1371
TESTIMONY BEFORE THE HOUSE
INDUSTRY, BUSINESS AND LABOR COMMITTEE**

**SUSAN J. ANDERSON
LEGAL COUNSEL
NORTH DAKOTA INSURANCE DEPARTMENT**

Good Afternoon, my name is Susan Anderson and I am Legal Counsel for the North Dakota Insurance Department. I am here today to testify in support of House Bill No. 1371.

The Department congratulates the legislative body for reviewing this issue, as they did on the property and casualty side, and the Department commends the spirit of the bill. As you may notice, the insurance code does not provide any protection for the victims of domestic violence. We believe that this concept as mentioned in this bill will provide that protection.

The Department questions the use of the terms "disability income", "accidental death insurance", or "disability income insurance" in Paragraph D. It has been the Department's interpretation that these forms of insurance are considered "accident and health insurance" and would fall under subsection b of House Bill No. 1371. Further, unfair discrimination for victims of domestic violence in property and casualty insurance was addressed in House Bill No. 1202 and, therefore, the need to address "liability insurance" may not be needed in this section.

The Department does have concerns over the use of the term "solely" used in Paragraph E and the limiting effects of this term. The Department would ask this committee to consider the deletion of this term and the greater consumer protection that would result with this deletion.

The Department believes that a provision prohibiting discrimination on the basis of domestic violence is correctly placed in the Unfair Trade Practices Act. Placing this provision into the Unfair Trade Practices Act subjects an insurer who violates this section to a greater penalty than if placed elsewhere in the code.

In summary, the Department believes in the spirit of this bill and is willing to grant its support to House Bill No. 1371.

BISMARCK
Abused Adult Resource Center
222-8370
BOTTINEAU
Family Crisis Center
228-2028
LAKE
Alternatives for
Abused Families
1-888-662-7378
DICKINSON
Domestic Violence and
Rape Crisis Center
225-4506
ELLEDALE
Kedish House
349-4729
FARGO
Rape and Abuse Crisis Center
800-344-7273
FORT BERTHOLD RESERVATION
Coalition Against
Domestic Violence
627-4171
FORT YATES
Tender Heart Against
Domestic Violence
854-3402
GRAFTON
Tri-County Crisis
Intervention Center
352-4242
GRAND FORKS
Community Violence
Intervention Center
705
JAMES TOWN
S.A.F.E. Shelter
888-353-7233
MCLEAN COUNTY
McLean Family
Resource Center
800-657-8643
MERCER COUNTY
Women's Action and
Resource Center
873-2274
MINOT
Domestic Violence Crisis
Center
852-2258
RANSOM COUNTY
Abuse Resource Network
683-5061
STANLEY
Domestic Violence Program,
NW, ND
628-3233
VALLEY CITY
Abused Persons Outreach
Center
78
WILLISTON
Family Crisis Shelter
572-0757

Testimony HB1371
House Industry, Business, and Labor
January 25, 1999

Chair Berg and Members of the Committee:

My name is Bonnie Palecek, and I am speaking on behalf of the ND Council on Abused Women's Services/Coalition Against Sexual Assault in ND in support of HB1371.

It appears that the drafting of this bill is essentially parallel with language in the property and casualty bill, HB1202, which was heard earlier.

Our support for this bill is based on its value as pro active legislation, which may provide us the tools with which to gather more than anecdotal data on the effects of discriminatory insurance practices on victims of domestic violence.

I am aware of cases of denial of coverage in the health insurance area. Ironically, we have been working hard as advocates to encourage physicians to document domestic violence on medical charts in order to establish a pattern of domestic violence in case it is needed in child custody matters or later prosecution. Now that very documentation is being used against victims of domestic violence once they leave the abusive situation and try to get insurance on their own. The "pattern of domestic violence" has identified them as high risk.

Hopefully, this bill would help address this unfair practice.

Our concerns with this bill are essentially the same limitations we articulated earlier:

- 1) On p. 2, line 7, we would like to add "associations or organizations" to individuals in order to address the needs of service provider agencies having trouble securing insurance;
- 2) Line 8 on the same page also concerns us, because it seems "of essentially the same hazard" cancels out the requirement that no discrimination occur. The whole argument of the insurance companies has been that domestic violence victims are not in the same hazard category. On whom is the burden of proof?
- 3) Finally, p. 2 line 14 includes the language "solely" which allows any company to continue to discriminate against victims of domestic violence in that victimization is viewed in the context of other factors, perhaps only one other factor of minimal consequence, we are not told how this determination may occur.

Hopefully, HB 1371 will provide a first step in assuring equitable treatment of domestic violence victims by insurance companies. Fear of losing such coverage is one of several factors which plays into complex decisions about whether to leave or stay in abusive situations.

Thank you for your consideration.

North Dakota Council on Abused Women's Services • Coalition Against Sexual Assault in North Dakota
418 East Rosser #320 • Bismarck, ND 58501 • Phone: (701) 255-6240 • Toll Free 1-800-472-2911 • Fax: 255-1904



- 1 **Proposed Amendment to House Bill No. 1371**
- 2 Page 2, line 7, after “individuals” insert organizations or associations.
- 3 Page 2, line 8, remove “and of essentially the same hazard”
- 4 Page 2, line 14, remove “solely”

suggested by
ND Council on Abused
Women’s Services

Limited health care service contractors must maintain a minimum net worth of \$300,000. Existing limited health care service contractors that have net worth less than \$300,000 are allowed to continue operating and meet this requirement in specified increments by December 31, 1999. Any HMO and HCSC that falls below the net worth requirements is required to cure the deficiency within 90 days after a deficiency notice from the insurance commissioner. If the deficiency is not corrected, the contractor of an HMO is declared insolvent and may not issue any further individual or group contracts or agreements. HMOs and HCSCs must file their annual statements and other schedules with the National Association of Insurance Commissioners. [Wash. Rev. Code § 48.44.035 et seq., 48.46.080 and 48.46.237]

Protection for Domestic Violence Victims

- AK 1997 Alaska Sess. Laws, Chap. 39 (SB 14) prohibits an insurer from refusing coverage, canceling a policy, denying coverage, or increasing a premium if the refusal, cancellation, denial, or increase results only from the fact that the person was a victim of domestic violence. The act requires an insurer to disclose the reason for denying coverage. [Alaska Stat. § 21.36.430]
- CO 1997 Colo. Sess. Laws, Chap. 39 (SB 97-72) identifies practices that discriminate against victims of domestic abuse that are unfair methods of competition and unfair or deceptive acts or practices in the business of insurance. The act requires an insurer, upon the written request of an insured or an applicant, to demonstrate that an act taken that adversely affects a victim of domestic abuse is not solely based on a victim's domestic abuse status but instead is based on underwriting criteria related to the condition, property, or claim history of the insured or the applicant and upon sound underwriting and actuarial principles. [Colo. Rev. Stat. § 10-3-1104.8]
- IL 1997 Ill. Laws, P.A. 90-245 (SB 490) provides that life, health and disability insurers may not restrict or deny coverage because a person has suffered domestic abuse or sought medical treatment, counseling, or shelter due to it. An insurer may not charge different rates because a person has suffered abuse nor deny a claim due to such abuse except as otherwise provided by law or ask whether an applicant has been abused or has sought medical treatment, counseling, or shelter due to it. However, an insurer can take such actions based on applicants' mental or physical condition regardless of cause. A life insurer can refuse to insure an abuse victim if the abuser is the applicant or would be the beneficiary. [Ill. Rev. Stat. ch. 215 § 5/424]
- MT 1997 Mont. Laws, Chap. 304 (SB 234) prohibits discrimination against victims of abuse in all lines of insurance. [Mont. Code § 33-18-216]
- NM 1997 N.M. Laws, Chap. 141 (HB 346) prohibits insurers from discriminating on the basis of domestic abuse or the insurer's determination of a person's abuse status as an insurance criterion or rating factor. The act also protects victims of domestic abuse, domestic abuse shelters and others from being discriminated against in insurance matters. [N.M. Stat. § 59A-16B-1 et seq.]
- OH 1997 Ohio Laws, S. 70 adds discrimination based on domestic violence to list of unfair trade practices. This act prohibits limiting coverage, refusing to issue, canceling, or refusing to renew a policy based on the individual having been a victim of domestic violence; prohibits differential premium rates; and also prohibits inquiring, directly or indirectly, about domestic violence. [Ohio Rev. Code § 3901.21]
- OR 1997 Or. Laws, Chap. 564 (SB 934) prohibits health insurance discrimination against victims of domestic violence. The act also prohibits insurers from considering, as underwriting criteria, the fact that an insured or prospective insured has been the victim of domestic violence. [Or. Rev. Stat. § 746.015]
- RI 1997 R.I. Pub. Laws, Chap. 163 (HB 6179) prevents insurance companies from committing certain discriminatory acts against victims of domestic violence. [R.I. Gen. Laws § 27-60-1 and 27-61-1]

Insurance Discrimination Against DV Victims

Legislation Proposed to Prevent Insurance Discrimination Against DV Victims

by Marian Brown

"Insurers who are discriminating against domestic violence victims must be stopped," said Linda Tarr-Whelen, President and CEO of the Center for Policy Alternatives (CPA), and "If they won't stop on moral grounds--that it's wrong to victimized battered women--civil and criminal penalties may get their attention."

CPA is currently coordinating a five-state initiative to pass legislation banning insurance discrimination against the victims of domestic violence. Legislators in California, Illinois, Georgia, New Mexico, and Washington are scheduled to introduce bills to stop the discriminate or insurers may face civil penalties and fines. Illinois and New Mexico have gone one step further, with pending legislation that could provide criminal penalties for the willful discrimination against a victim.

In a study conducted by the Women's Law Project and Pennsylvania Coalition for Domestic Violence (1994) found the eight of the sixteen largest insurers in the country were using the incident of domestic violence as a factor in deciding whether to insure someone and how much to charge for premiums.

Insurance companies use medical records, databases, court documents, and credit reports to identify possible victims and then "deny, limit, or set charges based on the victims increased risk," according to the CPA.

According to the Department of Health & Humans Services, women subjected to domestic violence account for 30% of women's emergency room visits and 1.4 million doctor visits each year.

Legislators responsible for introducing these measures are:

WASHINGTON--

Representative Cathy Wolfe, primary sponsor, (360) 786-7992
Representative Dawn Mason, co-sponsor, (360) 786-7944
Representative Eileen Cody, co-sponsor, (360) 786-7978

CALIFORNIA--

Assemblywoman Grace Napolitano

ILLINOIS--

Representative Carol Ronen

GEORGIA--

Senator Connie Stokes

NEW MEXICO--

Representative Mimi Stewart