

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 754
SENATE BILL 740

AN ACT TO AMEND ARTICLE 26 OF CHAPTER 58 OF THE GENERAL STATUTES OF
NORTH CAROLINA TO PROVIDE INSURANCE FOR EXCEPTIONAL CHILDREN.

The General Assembly of North Carolina enacts:

Section 1. Article 26 of Chapter 58 of the General Statutes of North Carolina is hereby amended by inserting therein a new section, G.S. 58-251.5, to read as follows:

"§ 58-251.5. Insurers and others to afford coverage to mentally retarded and physically handicapped children. — (a) No insurance company licensed in this State pursuant to the provisions of this Chapter and no corporation governed by the provisions of Chapter 57 of the General Statutes of North Carolina shall refuse to issue or deliver any individual or group accident and health insurance policy or hospital or medical service plan policy in this State which it is currently issuing for delivery in this State and which affords benefits or coverage for minor children of the applicant, by reason of the physical handicap or mental retardation of any minor children of the applicant; nor shall any such policy issued and delivered in this State carry a higher premium rate or charge or restrict or exclude coverage or benefits by reason of said mental retardation or physical handicap. Provided, however, such policy may exclude benefits, otherwise payable for disability, hospitalization, or medical or other therapeutic expense directly and solely attributable to such mental retardation or such physical handicap.

(b) The Commissioner of Insurance shall revoke the license of any insurer or any corporation governed by the provisions of Chapter 57 of the General Statutes of North Carolina if it fails to comply with the provisions of this section."

Sec. 2. The provisions of this act shall apply to corporations governed by the provisions of Chapter 57 of the General Statutes of North Carolina.

Sec. 3. This act shall become effective July 1, 1973.

In the General Assembly read three times and ratified, this the 23rd day of May, 1973.