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18.01.51 - UNFAIR DISCRIMINATION ON THE BASIS OF BLINDNESS OR PARTIAL BLINDNESS

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BLINDNESS OR PARTIAL BLINDNESS**

000. LEGAL AUTHORITY.

Title 41, Chapter 13, Section 41-1313(1), Idaho Code.

(7-1-93)

001. TITLE AND SCOPE.

The purpose of this rule is to identify specific acts or practices which are prohibited by Title 41, Chapter 13, Section 41-1313(1), Idaho Code.

(7-1-93)

002. -- 010. (RESERVED).

011. UNFAIRLY DISCRIMINATORY ACTS OR PRACTICES.

The following are hereby identified as acts or practices which constitute unfair discrimination between individuals of the same class: refusing to insure, or refusing to continue to insure, or limiting the amount, extent or kind of coverage available to an individual, or charging an individual a different rate for the same coverage solely because of blindness or partial blindness. With respect to all other conditions, including the underlying cause of the blindness or partial blindness, persons who are blind or partially blind shall be subject to the same standards of sound actuarial principles or actual or reasonably anticipated experience as are sighted persons. Refusal to insure includes denial by an insurer of disability insurance coverage on the grounds that the policy defines "disability" as being presumed in the event that the insured loses his/her eyesight. However, an insurer may exclude from coverage disabilities, consisting solely of blindness or partial blindness when such condition existed at the time the policy was issued.

(7-1-93)

012. SEVERABILITY.

If any provision of this rule or the application thereof to any persons or circumstances is held invalid, the remainder of the rule and application of such provision to the other persons or circumstances shall not be affected thereby.

(7-1-93)

013. -- 999. (RESERVED).