

OBESITY & HEALTH-STATUS MANDATES FOR PRIVATE INSURANCE

50 State & District of Columbia Survey

By the George Washington University Department of Health Policy

Christine Ferguson, J.D.
Jennifer Leonard, J.D., M.P.H.
Nicole Kaufman, J.D., LL.M
Christian Hertzog, J.D.

THE GEORGE WASHINGTON UNIVERSITY
DEPARTMENT OF HEALTH POLICY
2021 K STREET, NW, SUITE 800 • WASHINGTON, DC 20006
202-994-4100 • FAX 202-994-4040
WWW.GWHEALTHPOLICY.ORG

State	Eligibility and Rate Adjustments Involving Obesity or Health Status				Coverage of Obesity-Related Treatments	
	Small Group		Individual		Small Group	Individual
	Eligibility (HIPAA Requires Guaranteed Issue and Renewal)	Rate Adjustments	Eligibility	Rate Adjustments		
Alabama	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Prohibits consideration of health status for eligibility.¹ ✓ Plan renewal is at the option of the policyholder.² 	<ul style="list-style-type: none"> ✓ Adjusted Community Rating ✓ Allows health-status rate adjustments of up to 25% above the base rate.³ 	SILENT	SILENT	SILENT	SILENT
Alaska	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Prohibits consideration of health status for eligibility.⁴ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 35% above index rate.⁵ ✓ Renewal rate increases based on health status may not exceed 15%.⁶ 	SILENT	SILENT	SILENT	SILENT
Arizona	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Prohibits consideration of health status for eligibility.⁷ ✓ Plan renewal at option of the policyholder.⁸ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 60% above index rate.⁹ ✓ Renewal rate increases based on health status may not exceed 15%.¹⁰ 	SILENT	SILENT	<ul style="list-style-type: none"> ✓ Plans may provide financial incentives for participation in wellness programs.¹¹ 	SILENT
Arkansas	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Prohibits consideration of health status for eligibility and renewal.¹² 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 25% from applicable index rate.¹³ ✓ Renewal rate increases based on health status may not exceed 15%.¹⁴ 	SILENT	SILENT	<ul style="list-style-type: none"> ✓ Plans may provide financial incentives for adherence to health-promotion programs.¹⁵ 	SILENT
California	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Prohibits consideration of health status for eligibility.¹⁶ ✓ Plan renewal is at the option of the policyholder.¹⁷ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments up to 10% from applicable index rate.¹⁸ 	Requires insurers to report to the state “guidelines used for rating and underwriting” which may include “height and weight standards.” ¹⁹		SILENT	SILENT

State	Eligibility and Rate Adjustments Involving Obesity or Health Status				Coverage of Obesity-Related Treatments	
	Small Group		Individual		Small Group	Individual
	Eligibility (HIPAA Requires Guaranteed Issue and Renewal)	Rate Adjustments	Eligibility	Rate Adjustments		
Colorado	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Prohibits consideration of health status for eligibility.²⁰ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 10% from filed index rate.²¹ ✓ Certain participants new to the small-employer insurance market may be subject to a 35% health-status rate adjustment.²² ✓ Renewal rate increases based on health status may not exceed 15%.²³ 	SILENT	SILENT	<ul style="list-style-type: none"> ✓ Allows coverage of prevention and wellness programs, including nutrition counseling and fitness-center membership.²⁴ 	
Connecticut	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Prohibits consideration of health status for eligibility.²⁵ ✓ Plans are renewable at the option of the policyholder²⁶ 	<ul style="list-style-type: none"> ✓ Adjusted Community Rating ✓ Prohibits carrier from inquiring into health status or claims experience before quoting rate²⁷ ✓ Prohibits renewal rate adjustments based on health status, medical history or underwriting classification²⁸ 	SILENT	SILENT	SILENT	SILENT
Delaware	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Prohibits consideration of health-status-related factors for plan eligibility²⁹ ✓ Prohibits policy termination, failure to renew, and contract limits based on health status³⁰ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 35% from applicable index rate³¹ ✓ Renewal rate increases based on health status may not exceed 15%³² 	SILENT	SILENT	SILENT	SILENT

State	Eligibility and Rate Adjustments Involving Obesity or Health Status				Coverage of Obesity-Related Treatments	
	Small Group		Individual		Small Group	Individual
	Eligibility (HIPAA Requires Guaranteed Issue and Renewal)	Rate Adjustments	Eligibility	Rate Adjustments		
District of Columbia	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Prohibits consideration of health status for eligibility.³³ ✓ Plan renewal is at the option of the policyholder.³⁴ 	SILENT	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder³⁵ 	SILENT	SILENT	SILENT
Florida	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Prohibits consideration of health status, pre-existing conditions, or claims history for eligibility³⁶ ✓ Renewal is at the option of the policyholder³⁷ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 15% from approved index rate³⁸ ✓ Renewal rate increases based on health status may not exceed 10%.³⁹ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder⁴⁰ 	SILENT	<ul style="list-style-type: none"> ✓ Requires “appropriate” rate rebate “when the majority of members of a health plan have enrolled and maintained participation in any health wellness, maintenance, or improvement program” offered by the health plan. Evidence of participation includes: weight loss, BMI, and smoking cessation.⁴¹ 	SILENT
Georgia	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Prohibits use of health-status related factors for eligibility or subdivision.⁴² 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 20% above adjusted rate.⁴³ ✓ Renewal rate increases based on health status may not exceed 25%.⁴⁴ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder.⁴⁵ 	SILENT	<ul style="list-style-type: none"> ✓ “Every health benefit policy that is delivered, issued, executed, or renewed in [Georgia] . . . after July 1, 1999 . . . may offer coverage for the treatment of morbid obesity.”⁴⁶ 	
Hawai’i	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal 	SILENT	SILENT	SILENT	SILENT	SILENT
Idaho	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Renewal is at the option of the policyholder.⁴⁷ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 50% from index rate.⁴⁸ ✓ Renewal rate increases based on health status may not exceed 15%.⁴⁹ 	<ul style="list-style-type: none"> ✓ 	<ul style="list-style-type: none"> ✓ Renewal rate increases based on health status may not exceed 15%.⁵⁰ 		

State	Eligibility and Rate Adjustments Involving Obesity or Health Status				Coverage of Obesity-Related Treatments	
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	Eligibility (HIPAA Requires Guaranteed Issue and Renewal)	Rate Adjustments	Eligibility	Rate Adjustments		
Illinois	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids discrimination against individuals or employers on the basis of health status or claims experience.⁵¹ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 25% from index rate.⁵² ✓ Renewal rate increases based on health status may not exceed 15%. 	SILENT	SILENT	<ul style="list-style-type: none"> ✓ Allows, but does not require, group health plans to provide a discount, up to 20% of premium cost, for wellness-program participation.⁵³ 	<ul style="list-style-type: none"> ✓ Allows, but does not require, individual health plans to provide up to a 20% discount in premium costs for wellness-program participation.⁵⁴ ✓ Allows individual health plans to limit or exclude coverage for weight-reduction procedures, treatments, or classes (except for morbid obesity).⁵⁵
Indiana	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 35% above the midpoint rate.⁵⁶ ✓ Renewal rate increases based on health status may not exceed 15%.⁵⁷ 	SILENT	SILENT	<ul style="list-style-type: none"> ✓ Requires coverage of non-experimental, surgical treatment of morbid obesity that has persisted for more than five years and been unresponsive to other treatment. For patients under 21, the obesity must be life-threatening or disabling before surgical treatment can be covered.⁵⁸ 	
Iowa	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors for enrollment or renewal eligibility.⁵⁹ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 25% above the index rate.⁶⁰ ✓ Renewal rate increases based on health status may not exceed 15%.⁶¹ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder.⁶² 	<ul style="list-style-type: none"> ✓ Rating Bands 	SILENT	SILENT
Kansas	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health status for enrollment or renewal eligibility.⁶³ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 25% above the index rate.⁶⁴ ✓ Renewal rate increases based on health status may not exceed 15%.⁶⁵ 	SILENT	SILENT	SILENT	SILENT

State	Eligibility and Rate Adjustments Involving Obesity or Health Status				Coverage of Obesity-Related Treatments	
	Small Group		Individual		Small Group	Individual
	Eligibility (HIPAA Requires Guaranteed Issue and Renewal)	Rate Adjustments	Eligibility	Rate Adjustments		
Kentucky	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors for enrollment eligibility.⁶⁶ ✓ Plan renewal is at the option of the policyholder.⁶⁷ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 50% above the index rate.⁶⁸ ✓ Renewal rate increases based on health status may not exceed +20%.⁶⁹ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder.⁷⁰ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 35% above index rate. Greater adjustments are possible if individual is eligible for tax credit.⁷¹ ✓ Renewal rate increases based on health status may not exceed +20%.⁷² 	SILENT	SILENT
Louisiana⁷³	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors for enrollment eligibility.⁷⁴ ✓ Plan renewal is at the option of the policyholder.⁷⁵ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 33% above the index rate.⁷⁶ ✓ Renewal rate increases based on health status may not exceed 20%.⁷⁷ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder.⁷⁸ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 33% above the index rate.⁷⁹ 	SILENT	SILENT
Maine	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal 	<ul style="list-style-type: none"> ✓ Adjusted Community Rating ✓ Prohibits health-status considerations in rate determinations.⁸⁰ 	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health status for enrollment eligibility.⁸¹ ✓ Renewal is guaranteed.⁸² 	<ul style="list-style-type: none"> ✓ Community Rating ✓ Prohibits health-status considerations in rate determinations.⁸³ 	SILENT	SILENT
Maryland	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal 	<ul style="list-style-type: none"> ✓ Adjusted Community Rating ✓ Prohibits health-status considerations in rate determinations.⁸⁴ ✓ Amendment effective July 1, 2010: Allows health-status rate adjustments of up to 10% for first year employer offers coverage, 5% for second year.⁸⁵ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder.⁸⁶ 	SILENT	<ul style="list-style-type: none"> ✓ Health plans, both individual and group, must cover surgical treatments of morbid obesity (BMI >40, or >35 with comorbidities) that are consistent with National Institutes of Health guidelines.⁸⁷ ✓ Health plans may provide financial incentives, up to 20% of the cost of coverage, for voluntary participation in wellness programs. Those incentives may be conditioned on satisfying a health-status-related standard.⁸⁸ 	

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	Small Group		Individual		Small Group	Individual
	Eligibility (HIPAA Requires Guaranteed Issue and Renewal)	Rate Adjustments	Eligibility	Rate Adjustments		
Massachusetts	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal. ✓ Forbids use of health-status-related factors for enrollment eligibility.⁸⁹ 	<ul style="list-style-type: none"> ✓ Adjusted Community Rating ✓ Prohibits health-status considerations in rate determinations.⁹⁰ 	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ All issuers must provide guaranteed-issue plans.⁹¹ 	<ul style="list-style-type: none"> ✓ Adjusted Community Rating ✓ Premium rates may vary only with age, geography, and benefit level.⁹² 	<ul style="list-style-type: none"> ✓ Health plans may provide financial incentives, up to 5% of the cost of coverage, for voluntary participation in wellness programs.⁹³ 	SILENT
Michigan	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal 	<ul style="list-style-type: none"> ✓ Hybrid ✓ Michigan BCBS may vary premium rates only with industry and age. ✓ HMOs may vary premium rates only with industry, age, and group size. ✓ Commercial carriers may use health status in rate determinations and adjust the rate up to 45% above the index rate. 	<ul style="list-style-type: none"> ✓ Hybrid ✓ Michigan Blue Cross Blue Shield must guarantee issue and renewal.⁹⁴ 	<ul style="list-style-type: none"> ✓ Hybrid ✓ Michigan BCBS may vary premium rates only with industry and age. ✓ HMOs may vary premium rates only with industry, age, and group size. 	<ul style="list-style-type: none"> ✓ HMOs may offer enrollees healthy-lifestyle programs, such as promoting nutrition or physical exercise—including goods, vouchers, or equipment.⁹⁵ 	
Minnesota	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors for enrollment or renewal eligibility.⁹⁶ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 25% above the index rate.⁹⁷ ✓ Renewal rate increases based on health status may not exceed 15%.⁹⁸ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Guaranteed issue not required.⁹⁹ ✓ Plan renewal is at the option of the policyholder.¹⁰⁰ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 25% above the index rate.¹⁰¹ ✓ Renewal rates may not consider change in health status.¹⁰² 	SILENT	SILENT
Mississippi	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Plan renewal is at the option of the policyholder.¹⁰³ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 25% above the index rate.¹⁰⁴ ✓ Renewal rate increases based on health status may not exceed 15%.¹⁰⁵ 	SILENT	SILENT	SILENT	SILENT

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	Eligibility (HIPAA Requires Guaranteed Issue and Renewal)	Rate Adjustments	Eligibility	Rate Adjustments		
Missouri	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors for enrollment eligibility.¹⁰⁶ ✓ Plan renewal at option of the policyholder.¹⁰⁷ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 35% above the index rate.¹⁰⁸ ✓ Renewal rate increases based on health status may not exceed 15%.¹⁰⁹ 	SILENT	SILENT	SILENT	SILENT
Montana	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors for enrollment eligibility.¹¹⁰ ✓ Plan renewal is at the option of the policyholder.¹¹¹ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 25% above the index rate.¹¹² ✓ Renewal rate increases based on health status may not exceed 15%.¹¹³ 	SILENT	SILENT	SILENT	SILENT
Nebraska	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors for enrollment eligibility.¹¹⁴ ✓ Plan renewal is at the option of the policyholder.¹¹⁵ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 25% above the index rate.¹¹⁶ ✓ Renewal rate increases based on health status may not exceed 15%.¹¹⁷ 	SILENT	SILENT	SILENT	SILENT
Nevada	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors for enrollment eligibility.¹¹⁸ ✓ Plan renewal at option of the policy holder.¹¹⁹ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 30% above the index rate.¹²⁰ ✓ Renewal rate increases based on health status may not exceed 15%.¹²¹ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder.¹²² 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 50% above the base market rate.¹²³ 	SILENT	SILENT

State	Eligibility and Rate Adjustments Involving Obesity or Health Status				Coverage of Obesity-Related Treatments	
	Small Group		Individual		Small Group	Individual
	Eligibility (HIPAA Requires Guaranteed Issue and Renewal)	Rate Adjustments	Eligibility	Rate Adjustments		
New Hampshire	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment and renewal eligibility.¹²⁴ 	<ul style="list-style-type: none"> ✓ Adjusted Community Rating ✓ Prohibits health-status considerations in rate determinations.¹²⁵ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Allows use of health status in enrollment eligibility.¹²⁶ ✓ Plan renewal is at the option of the policyholder.¹²⁷ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows premium rate variance of 1.5:1 based on health status.¹²⁸ 	<ul style="list-style-type: none"> ✓ Requires coverage of obesity treatments, including bariatric surgery, and of treatments of diseases caused by obesity.¹²⁹ ✓ Plans may offer financial incentives for compliance with approved wellness programs.¹³⁰ 	<ul style="list-style-type: none"> ✓ Requires coverage of obesity treatments, including bariatric surgery, and of treatments of diseases caused by obesity.¹³¹
New Jersey	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment eligibility.¹³² ✓ Plan renewal is at the option of the policyholder.¹³³ 	<ul style="list-style-type: none"> ✓ Adjusted Community Rating ✓ Prohibits health-status considerations in rate determinations.¹³⁴ 	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Plans guaranteed issue during open-enrollment.¹³⁵ ✓ Plan renewal at the option of policyholder.¹³⁶ 	<ul style="list-style-type: none"> ✓ Adjusted Community Rating ✓ Prohibits consideration of health status in rate determination.¹³⁷ 	<ul style="list-style-type: none"> ✓ Requires coverage of health wellness examinations and counseling.¹³⁸ 	<ul style="list-style-type: none"> ✓ Requires coverage of health wellness examinations and counseling.¹³⁹
New Mexico	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment eligibility.¹⁴⁰ ✓ Plan renewal is at the option of the policyholder.¹⁴¹ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Initial premium rates may vary only with age, gender, geography, and smoking practices.¹⁴² ✓ Renewal rate increases based on health status due to health status may not exceed 10%.¹⁴³ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder.¹⁴⁴ 	SILENT	SILENT	SILENT
New York	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment and renewal eligibility.¹⁴⁵ 	<ul style="list-style-type: none"> ✓ Community Rating ✓ Prohibits health-status considerations in rate determinations.¹⁴⁶ 	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids health status related factors in enrollment renewal eligibility.¹⁴⁷ 	<ul style="list-style-type: none"> ✓ Community Rating ✓ Prohibits consideration of health status in rate determinations.¹⁴⁸ 	SILENT	SILENT

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	Small Group		Individual		Small Group	Individual
	Eligibility (HIPAA Requires Guaranteed Issue and Renewal)	Rate Adjustments	Eligibility	Rate Adjustments		
North Carolina	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment and renewal eligibility.¹⁴⁹ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Initial premium rates may vary only with age, gender, family size, geography, and industry.¹⁵⁰ ✓ Renewal rate increases based on health status due to health status may not exceed 15%.¹⁵¹ 	SILENT	SILENT	SILENT	SILENT
North Dakota	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment eligibility.¹⁵² ✓ Plan renewal is at the option of the policyholder.¹⁵³ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 20% above the index rate.¹⁵⁴ ✓ Renewal rate increases based on health status may not exceed 15%.¹⁵⁵ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder.¹⁵⁶ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows rate adjustments for “healthy lifestyles.”¹⁵⁷ 	SILENT	SILENT
Ohio	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Plan renewal is at the option of the policyholder.¹⁵⁸ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 40% above the midpoint rate.¹⁵⁹ ✓ Renewal rate increases based on health status may not exceed 15%.¹⁶⁰ 	SILENT	SILENT	SILENT	SILENT

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	Small Group		Individual		Small Group	Individual
	Eligibility (HIPAA Requires Guaranteed Issue and Renewal)	Rate Adjustments	Eligibility	Rate Adjustments		
Oklahoma	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment eligibility.¹⁶¹ ✓ Plan renewal is at the option of the policyholder.¹⁶² 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 25% above the index rate.¹⁶³ ✓ Renewal rate increases based on health status may not exceed 15%.¹⁶⁴ 	SILENT	SILENT	SILENT	SILENT
Oregon	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment eligibility.¹⁶⁵ 	<ul style="list-style-type: none"> ✓ Adjusted Community Rating ✓ Allows expected-claims-experience adjustments of up to 5% of the premium rate.¹⁶⁶ 	<ul style="list-style-type: none"> ✓ Allows health-status considerations in enrollment eligibility.¹⁶⁷ 	<ul style="list-style-type: none"> ✓ Adjusted Community Rating ✓ Premium rates may vary only with geography, age, plan benefits, and family size.¹⁶⁸ 	<ul style="list-style-type: none"> ✓ Allows for premium variation based on employees' and dependents' participation in health-promotion, disease-prevention, or wellness programs.¹⁶⁹ 	
Pennsylvania	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal 	SILENT	SILENT	SILENT	SILENT	SILENT
Rhode Island	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment eligibility.¹⁷⁰ ✓ Plan renewal is at the option of the policyholder.¹⁷¹ 	<ul style="list-style-type: none"> ✓ Adjusted Community Rating ✓ Allows health-status rate adjustments of up to 10% above the adjusted community rate.¹⁷² 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder.¹⁷³ 	SILENT	<ul style="list-style-type: none"> ✓ Plans may provide financial incentives for participation in health-promotion programs.¹⁷⁴ 	SILENT
South Carolina	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment eligibility.¹⁷⁵ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 25% above the index rate.¹⁷⁶ ✓ Renewal rate increases based on health status may not exceed 15%.¹⁷⁷ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder.¹⁷⁸ 	<ul style="list-style-type: none"> ✓ Allows health-status rate adjustments.¹⁷⁹ 	<ul style="list-style-type: none"> ✓ Plans may provide financial incentives for participation in health-promotion programs.¹⁸⁰ 	SILENT

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	Small Group		Individual		Small Group	Individual
	Eligibility (HIPAA Requires Guaranteed Issue and Renewal)	Rate Adjustments	Eligibility	Rate Adjustments		
South Dakota	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment eligibility.¹⁸¹ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 25% above the index rate.¹⁸² ✓ Renewal rate increases based on health status may not exceed 15%.¹⁸³ 	SILENT	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows rate adjustments based on health status or weight of up to 30% above the index rate.¹⁸⁴ 	<ul style="list-style-type: none"> ✓ Plans may provide financial incentives for participation in health-promotion programs.¹⁸⁵ 	SILENT
Tennessee	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Plan renewal is at the option of the policyholder.¹⁸⁶ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 35% above the index rate.¹⁸⁷ ✓ Renewal rate increases based on health status may not exceed 15%.¹⁸⁸ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder.¹⁸⁹ 	SILENT	SILENT	SILENT
Texas	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment eligibility.¹⁹⁰ ✓ Plan renewal is at the option of the policyholder.¹⁹¹ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 25% above the base premium rate.¹⁹² ✓ Renewal rate increases based on health status may not exceed 15%.¹⁹³ 	SILENT	<ul style="list-style-type: none"> ✓ Allows underwriting based on physical condition.¹⁹⁴ ✓ Forbids HMOs from adjusting premium rates based on health status.¹⁹⁵ 	<ul style="list-style-type: none"> ✓ Plans may provide financial incentives for participation in health-promotion and wellness programs.¹⁹⁶ 	
Utah	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Plan renewal is at the option of the policyholder.¹⁹⁷ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 30% above the index rate.¹⁹⁸ ✓ Renewal rate increases based on health status may not exceed 15%.¹⁹⁹ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder.²⁰⁰ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 30% above the index rate.²⁰¹ ✓ Renewal rate increases based on health status may not exceed 15%.²⁰² 	<ul style="list-style-type: none"> ✓ Does not require coverage for gastric bypass or related surgeries.²⁰³ 	

State	Eligibility and Rate Adjustments Involving Obesity or Health Status				Coverage of Obesity-Related Treatments	
	Small Group		Individual		Small Group	Individual
	Eligibility (HIPAA Requires Guaranteed Issue and Renewal)	Rate Adjustments	Eligibility	Rate Adjustments		
Vermont	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment eligibility.²⁰⁴ 	<ul style="list-style-type: none"> ✓ Community Rating ✓ Prohibits health-status considerations in rate determinations.²⁰⁵ 	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment eligibility.²⁰⁶ 	<ul style="list-style-type: none"> ✓ Community Rating ✓ Prohibits health-status considerations in rate determinations.²⁰⁷ 	<ul style="list-style-type: none"> ✓ Plans may provide financial incentives for participation in health-promotion programs.²⁰⁸ ✓ Health-promotion programs may include nutrition education and weight-loss programs.²⁰⁹ 	<ul style="list-style-type: none"> ✓ Plans may provide financial incentives for participation in health-promotion programs.²¹⁰ ✓ Health-promotion programs may include nutrition education and weight-loss programs.²¹¹
Virginia	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment eligibility.²¹² ✓ Plan renewal is at the option of the policyholder.²¹³ 	<ul style="list-style-type: none"> ✓ Hybrid ✓ Rates for standard and essential benefits plans are set using rate bands. Allows health-status rate adjustments of up to 20% above the community rate for these plans.²¹⁴ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder.²¹⁵ 	SILENT	<ul style="list-style-type: none"> ✓ Requires availability of coverage for treatment of morbid obesity through gastric bypass surgery and other methods the National Institutes of Health considers effective.²¹⁶ 	
Washington	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment eligibility.²¹⁷ ✓ Plan renewal is at the option of the policyholder.²¹⁸ 	<ul style="list-style-type: none"> ✓ Adjusted Community Rating ✓ Prohibits health-status considerations in rate determinations.²¹⁹ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder.²²⁰ 	<ul style="list-style-type: none"> ✓ Adjusted Community Rating ✓ Prohibits considerations of health-status in rate determinations.²²¹ 	<ul style="list-style-type: none"> ✓ A plan may provide financial incentives, up to 20% of the plan's cost, for participation in wellness programs.²²² 	SILENT
West Virginia	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment eligibility.²²³ ✓ Plan renewal at option of the policyholder.²²⁴ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 30% above the index rate.²²⁵ ✓ Renewal rate increases based on health status may not exceed 15%.²²⁶ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder.²²⁷ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 30% above the base individual rate.²²⁸ 	SILENT	SILENT

State	Eligibility and Rate Adjustments Involving Obesity or Health Status				Coverage of Obesity-Related Treatments	
	Small Group		Individual		Small Group	Individual
	Eligibility (HIPAA Requires Guaranteed Issue and Renewal)	Rate Adjustments	Eligibility	Rate Adjustments		
Wisconsin	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment eligibility.²²⁹ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 35% above the midpoint rate.²³⁰ ✓ Renewal rate increases based on health status may not exceed 15%.²³¹ 	<ul style="list-style-type: none"> ✓ Guaranteed Renewal ✓ Plan renewal is at the option of the policyholder.²³² 		SILENT	SILENT
Wyoming	<ul style="list-style-type: none"> ✓ Guaranteed Issue and Renewal ✓ Forbids use of health-status-related factors in enrollment eligibility.²³³ ✓ Plan renewal is at the option of the policyholder.²³⁴ 	<ul style="list-style-type: none"> ✓ Rating Bands ✓ Allows health-status rate adjustments of up to 35% above the index rate.²³⁵ ✓ Renewal rate increases based on health status may not exceed 15%.²³⁶ 	SILENT	SILENT	SILENT	SILENT

¹ Ala. Admin. Code r. 482-1-116.07(a)(2), available at <http://www.alabamaadministrativecode.state.al.us/docs/ins/index.html>

² Ala. Admin. Code r. 482-1-116.06(a), available at <http://www.alabamaadministrativecode.state.al.us/docs/ins/index.html>

³ Ala. Admin. Code r. 482-1-116.05(a)(5), available at <http://www.alabamaadministrativecode.state.al.us/docs/ins/index.html>

⁴ Alaska Stat. § 21.56.140(b), available at http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://www.wjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/stattx09/query=*/doc/{t10212}

⁵ Alaska Stat. § 21.56.120(a)(2), available at http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://www.wjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/stattx09/query=*/doc/{t10212}

⁶ Alaska Stat. § 21.56.120(a)(3), available at http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://www.wjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/stattx09/query=*/doc/{t10212}

⁷ Ariz. Rev. Stat. § 20-2304(A), available at <http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/20/02304.htm&Title=20&DocType=ARS>

⁸ Ariz. Rev. Stat. § 20-2309(B), available at <http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/20/02309.htm&Title=20&DocType=ARS>

⁹ Ariz. Rev. Stat. § 20-2311(A), available at <http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/20/02311.htm&Title=20&DocType=ARS>

¹⁰ Ariz. Rev. Stat. § 20-2311(C), available at <http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/20/02311.htm&Title=20&DocType=ARS>

¹¹ Ariz. Rev. Stat. § 20-2310(N), available at <http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/20/02310.htm&Title=20&DocType=ARS>

¹² Ark. Code Ann. § 23-86-306(a)(1), available at <http://www.arkleg.state.ar.us/bureau/Publications/Arkansas%20Code/Title%2023.pdf>

¹³ Ark. Code Ann. § 23-86-204(a)(2), available at <http://www.arkleg.state.ar.us/bureau/Publications/Arkansas%20Code/Title%2023.pdf>

¹⁴ Ark. Code Ann. § 23-86-204(a)(3), available at <http://www.arkleg.state.ar.us/bureau/Publications/Arkansas%20Code/Title%2023.pdf>

¹⁵ Ark. Code Ann. § 23-86-306(b)(2)(B), available at <http://www.arkleg.state.ar.us/bureau/Publications/Arkansas%20Code/Title%2023.pdf>

¹⁶ Cal. Ins. Code § 10705, available at <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=ins&group=10001-11000&file=10702-10718.7>

¹⁷ Cal. Ins. Code § 10713, available at <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=ins&group=10001-11000&file=10702-10718.7>

¹⁸ Cal. Ins. Code § 10714(b)(1), available at <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=ins&group=10001-11000&file=10702-10718.7>

¹⁹ Cal. Ins. Code § 10113.95(c), available at <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=ins&group=10001-11000&file=10110-10127.18>

- ²⁰ 3 Colo. Code Regs. § 702-4(4-6-8), available at http://www.dora.state.co.us/Insurance/regs/F4-6-8_0809.pdf
- ²¹ 3 Colo. Code Regs. § 702-4(4-6-7), available at <http://www.dora.state.co.us/insurance/regs/4-6-7.pdf>
- ²² Colo. Rev. Stat. § 10-16-105(13)-(15), available at <http://www.michie.com/colorado/lpext.dll?f=templates&fn=main-h.htm&cp=>
- ²³ 3 Colo. Code Regs. § 702-4(4-6-7), available at <http://www.dora.state.co.us/insurance/regs/4-6-7.pdf>
- ²⁴ Colo. Rev. Stat. § 10-16-136(2), (5), available at <http://www.michie.com/colorado/lpext.dll?f=templates&fn=main-h.htm&cp=>
- ²⁵ Conn. Gen. Stat. § 38a-567(2), available at <http://law.justia.com/connecticut/codes/title38a/sec38a-567.html>
- ²⁶ Conn. Gen. Stat. § 38a-567(1)(A), available at <http://law.justia.com/connecticut/codes/title38a/sec38a-567.html>
- ²⁷ Conn. Gen. Stat. § 38a-567(5)(B), available at <http://law.justia.com/connecticut/codes/title38a/sec38a-567.html>
- ²⁸ Conn. Gen. Stat. § 38a-567(6), available at <http://law.justia.com/connecticut/codes/title38a/sec38a-567.html>
- ²⁹ Del. Code Ann. tit. 18, § 7207(g), available at <http://delcode.delaware.gov/title18/c072/index.shtml>
- ³⁰ Del. Code Ann. tit. 18, § 7215(e), available at <http://delcode.delaware.gov/title18/c072/index.shtml>
- ³¹ Del. Code Ann. tit. 18, § 7205(2), available at <http://delcode.delaware.gov/title18/c072/index.shtml>
- ³² Del. Code Ann. tit. 18, § 7205(3)(b), available at <http://delcode.delaware.gov/title18/c072/index.shtml>
- ³³ D.C. Code § 31-3303.06(a), available at <http://www.michie.com/dc/lpext.dll?f=templates&fn=main-h.htm&cp=dccode>
- ³⁴ D.C. Code § 31-1033.03(a), available at <http://www.michie.com/dc/lpext.dll?f=templates&fn=main-h.htm&cp=dccode>
- ³⁵ D.C. Code § 31-3302.05(a), available at <http://www.michie.com/dc/lpext.dll?f=templates&fn=main-h.htm&cp=dccode>
- ³⁶ Fla. Stat. § 627.6699(3)(j), (5)(c)(1), available at http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0627/SEC6699.HTM&Title=->2009->Ch0627->Section%206699#0627.6699
- ³⁷ Fla. Stat. § 627.6571(1), available at http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0627/Sec6571.HTM
- ³⁸ Fla. Stat. § 627.6699(6)(b)(5), available at http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0627/SEC6699.HTM&Title=->2009->Ch0627->Section%206699#0627.6699
- ³⁹ Fla. Stat. § 627.6699(6)(b)(5), available at http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0627/SEC6699.HTM&Title=->2009->Ch0627->Section%206699#0627.6699
- ⁴⁰ Fla. Stat. § 627.6425(1), available at http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0627/SEC6425.HTM&Title=->2009->Ch0627->Section%206425#0627.6425
- ⁴¹ Fla. Stat. § 627.65626(1), available at http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0627/SEC65626.HTM&Title=->2009->Ch0627->Section%2065626#0627.65626
- ⁴² Ga. Comp. R. & Regs. 120-2-10-.12(4)(a), available at <http://rules.sos.state.ga.us/docs/120/2/10/12.PDF>
- ⁴³ Ga. Comp. R. & Regs. 120-2-10-.12(5)(f), available at <http://rules.sos.state.ga.us/docs/120/2/10/12.PDF>
- ⁴⁴ Ga. Comp. R. & Regs. 120-2-10-.12(5)(e), available at <http://rules.sos.state.ga.us/docs/120/2/10/12.PDF>
- ⁴⁵ Ga. Comp. R. & Regs. 120-2-67-.10(a), available at <http://rules.sos.state.ga.us/docs/120/2/67/10.PDF>
- ⁴⁶ Ga. Code Ann. § 33-24-59.7(c)(2), available at <http://www.lexis-nexis.com/hottopics/gacode/default.asp>
- ⁴⁷ Idaho Code Ann. § 41-4707, available at <http://www.legislature.idaho.gov/idstat/Title41/T41CH47SECT41-4707.htm>
- ⁴⁸ Idaho Code Ann. § 41-4706(a)-(b), available at <http://www.legislature.idaho.gov/idstat/Title41/T41CH47SECT41-4706.htm>
- ⁴⁹ Idaho Code Ann. § 41-4706(c), available at <http://www.legislature.idaho.gov/idstat/Title41/T41CH47SECT41-4706.htm>
- ⁵⁰ Idaho Code Ann. § 41-5206(b)(ii), available at <http://www.legislature.idaho.gov/idstat/Title41/T41CH52SECT41-5206.htm>
- ⁵¹ 215 ILCS 97/25, 97/40, available at <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1252&ChapAct=215%26nbsp%3BILCS%26nbsp%3B97%2F&ChapterID=22&ChapterName=INSURANCE&ActName=Illinois+Health+Insurance+Portability+and+Accountability+Act%2E>
- ⁵² 215 Ill. Comp. Stat. 93/25(a), available at <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1250&ChapAct=215%26nbsp%3BILCS%26nbsp%3B93%2F&ChapterID=22&ChapterName=INSURANCE&ActName=Small+Employer+Health+Insurance+Rating+Act%2E>
- ⁵³ 215 Ill. Comp. Stat. 5/356z.17, available at <http://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=021500050HArt%2E+XX&ActID=1249&ChapAct=215%26nbsp%3BILCS%26nbsp%3B5%2F&ChapterID=22&ChapterName=INSURANCE&SectionID=52237&SeqStart=9400000&SeqEnd=10640000&ActName=Illinois+Insurance+Code%2E>
- ⁵⁴ 215 Ill. Comp. Stat. 5/356z.17, available at <http://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=021500050HArt%2E+XX&ActID=1249&ChapAct=215%26nbsp%3BILCS%26nbsp%3B5%2F&ChapterID=22&ChapterName=INSURANCE&SectionID=52237&SeqStart=9400000&SeqEnd=10640000&ActName=Illinois+Insurance+Code%2E>
- ⁵⁵ Ill. Admin. Code tit. 50, § 2007.60, available at <http://www.ilga.gov/commission/jcar/admincode/050/050020070000600R.html>

- ⁵⁶ Ind. Code § 27-8-15-16, 17, available at <http://www.in.gov/legislative/ic/code/title27/ar8/ch15.html>
- ⁵⁷ Ind. Code § 27-8-15-16, 17, available at <http://www.in.gov/legislative/ic/code/title27/ar8/ch15.html>
- ⁵⁸ Ind. Code § 27-8-14.1-4, available at <http://www.in.gov/legislative/ic/code/title27/ar8/ch14.1.html>
- ⁵⁹ Iowa Code § 513B.9A, available at <http://search.legis.state.ia.us/nxt/gateway.dll/ic/2009code/1/27987?f=templates&fn=default.htm>
- ⁶⁰ Iowa Code § 513B.4, available at <http://search.legis.state.ia.us/nxt/gateway.dll/ic/2009code/1/27987?f=templates&fn=default.htm>
- ⁶¹ Iowa Code § 513B.4, available at <http://search.legis.state.ia.us/nxt/gateway.dll/ic/2009code/1/27987?f=templates&fn=default.htm>
- ⁶² Iowa Code § 513C.6, available at <http://search.legis.state.ia.us/nxt/gateway.dll/ic/2009code/1/27987?f=templates&fn=default.htm>
- ⁶³ Kan. Stat. Ann. § 40-2209m, available at <http://www.kslegislature.org/legsrv-statutes/getStatuteInfo.do>
- ⁶⁴ Kan. Stat. Ann. § 40-2209h(a)(2), available at <http://www.kslegislature.org/legsrv-statutes/getStatuteInfo.do>
- ⁶⁵ Kan. Stat. Ann. § 40-2209h(a)(3), available at <http://www.kslegislature.org/legsrv-statutes/getStatuteInfo.do>
- ⁶⁶ Ky. Rev. Stat. Ann. § 304.17A-200(1)-(3), available at <http://www.lrc.state.ky.us/KRS/304-17A/200.PDF>
- ⁶⁷ Ky. Rev. Stat. Ann. § 304.17A-240(1)-(2), available at <http://www.lrc.state.ky.us/KRS/304-17A/240.PDF>
- ⁶⁸ Ky. Rev. Stat. Ann. § 304.17A-.0952(4), available at <http://www.lrc.state.ky.us/KRS/304-17A/0952.PDF>
- ⁶⁹ Ky. Rev. Stat. Ann. § 304.17A-.0952(5), available at <http://www.lrc.state.ky.us/KRS/304-17A/0952.PDF>
- ⁷⁰ Ky. Rev. Stat. Ann. § 304.17A-240(1)-(2), available at <http://www.lrc.state.ky.us/KRS/304-17A/240.PDF>
- ⁷¹ Ky. Rev. Stat. Ann. § 304.17A-.0952(1)-(2), available at <http://www.lrc.state.ky.us/KRS/304-17A/0952.PDF>
- ⁷² Ky. Rev. Stat. Ann. § 304.17A-0952(3), available at <http://www.lrc.state.ky.us/KRS/304-17A/0952.PDF>
- ⁷³ Obesity is can be classified as a disease in Louisiana if BMI is >30, or if BMI is >27 and is accompanied by comorbidities (diabetes, hypertension, etc.). La. Rev. Stat. Ann. § 40:1299:117, available at <http://www.legis.state.la.us/lss/lss.asp?doc=97145>
- ⁷⁴ La. Rev. Stat. Ann. § 22:1067(C), available at <http://www.legis.state.la.us/lss/lss.asp?doc=507899>
- ⁷⁵ La. Rev. Stat. Ann. § 22:1068(A), available at <http://www.legis.state.la.us/lss/lss.asp?doc=507900>
- ⁷⁶ La. Rev. Stat. Ann. § 22:1095(B)(2), available at <http://legis.state.la.us/lss/lss.asp?doc=507919>
- ⁷⁷ La. Rev. Stat. Ann. § 22:1092(A)(3), available at <http://legis.state.la.us/lss/lss.asp?doc=507916>
- ⁷⁸ La. Rev. Stat. Ann. § 22:1074(A), available at <http://www.legis.state.la.us/lss/lss.asp?doc=507906>
- ⁷⁹ La. Rev. Stat. Ann. § 22:1095(B)(2), available at <http://legis.state.la.us/lss/lss.asp?doc=507919>
- ⁸⁰ Me. Rev. Stat. tit. 24-A, § 2808-B(2), available at <http://www.mainelegislature.org/legis/statutes/24-A/title24-Asec2808-B.html>
- ⁸¹ Me. Rev. Stat. tit. 24-A, § 2736-C(3), available at <http://www.mainelegislature.org/legis/statutes/24-A/title24-Asec2736-C.html>
- ⁸² Me. Rev. Stat. tit. 24-A, § 2736-C(3), available at <http://www.mainelegislature.org/legis/statutes/24-A/title24-Asec2736-C.html>
- ⁸³ Me. Rev. Stat. tit. 24-A, § 2736-C(2), available at <http://www.mainelegislature.org/legis/statutes/24-A/title24-Asec2736-C.html>
- ⁸⁴ Md. Code Ann., Ins. § 15-1205(a)(1), available at http://mlis.state.md.us/asp/statutes_respond.asp?article=gin§ion=15-1205&Extension=HTML
- ⁸⁵ Md. Code Ann., Ins. § 15-1205(a)(2)(iii), available at http://mlis.state.md.us/asp/statutes_respond.asp?article=gin§ion=15-1205&Extension=HTML, as amended by 2009 Md. Laws 3263, available at <http://mlis.state.md.us/2009rs/misc/AdvanceSheets/Vol4.pdf>
- ⁸⁶ Md. Code Ann., Ins. § 15-1309, available at
- ⁸⁷ Md. Code Ann., Ins. § 15-839, available at http://mlis.state.md.us/asp/statutes_respond.asp?article=gin§ion=15-839&Extension=HTML
- ⁸⁸ Md. Code Ann., Ins. § 15-509, available at http://mlis.state.md.us/asp/statutes_respond.asp?article=gin§ion=15-509&Extension=HTML
- ⁸⁹ Mass. Gen. Laws ch. 176J, § 5(a), available at <http://www.mass.gov/legis/laws/mgl/176j-5.htm>
- ⁹⁰ Mass. Gen. Laws ch. 176J, § 3(a), available at <http://www.mass.gov/legis/laws/mgl/176j-3.htm>
- ⁹¹ Mass. Gen. Laws ch. 176M, § 2, available at <http://www.mass.gov/legis/laws/mgl/176m-2.htm>
- ⁹² Mass. Gen. Laws ch. 176M, § 4, available at <http://www.mass.gov/legis/laws/mgl/176m-4.htm>
- ⁹³ Mass. Gen. Laws ch. 176J, § 3(a)(5), available at <http://www.mass.gov/legis/laws/mgl/176j-3.htm>
- ⁹⁴ Mich. Comp. Laws § 550.1401(1), available at [http://www.legislature.mi.gov/\(S\(s40rciaj4v0fwg45mbgmf145\)\)/mileg.aspx?page=getObject&objectName=mcl-550-1401](http://www.legislature.mi.gov/(S(s40rciaj4v0fwg45mbgmf145))/mileg.aspx?page=getObject&objectName=mcl-550-1401)
- ⁹⁵ Mich. Comp. Laws § 500.3517(2), available at [http://www.legislature.mi.gov/\(S\(s40rciaj4v0fwg45mbgmf145\)\)/mileg.aspx?page=getObject&objectName=mcl-500-3517](http://www.legislature.mi.gov/(S(s40rciaj4v0fwg45mbgmf145))/mileg.aspx?page=getObject&objectName=mcl-500-3517)
- ⁹⁶ Minn. Stat. § 62L.03-1(a), 4(A), available at <https://www.revisor.mn.gov/statutes/?id=62L.03>

⁹⁷ Minn. Stat. § 62L.08-2, available at <https://www.revisor.mn.gov/statutes/?id=62L.08>

⁹⁸ Minn. Stat. § 62L.08-2a, available at <https://www.revisor.mn.gov/statutes/?id=62L.08>

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¹¹¹ Mon. Code Ann. § 33-22-1810(1), available at <http://data.opi.state.mt.us/bills/mca/33/22/33-22-1810.htm>

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¹¹⁵ Neb. Rev. Stat. § 44-5259(1), available at <http://uniweb.legislature.ne.gov/laws/statutes.php?statute=44-5259>

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¹¹⁸ Nev. Rev. Stat. § 689C.193-2, available at <http://www.leg.state.nv.us/nrs/NRS-689C.html>

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¹²² Nev. Rev. Stat. § 689A.630-1, available at <http://www.leg.state.nv.us/nrs/NRS-689A.html>

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¹²⁶ N.H. Rev. Stat. Ann. § 420-G:5(II), available at <http://www.gencourt.state.nh.us/rsa/html/XXXVII/420-G/420-G-5.htm>

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- ¹⁷² 02-031-11 R.I. Code R. § 5, available at http://www.ohic.ri.gov/documents/Insurers/Regulations/regulation1smallemployerins/1_Regulation%2011%20Final.pdf. Note: this appears to conflict with the statute (R.I. Gen. Laws § 27-50-5(a)(1), available at <http://www.rilin.state.ri.us/Statutes/TITLE27/27-50/27-50-5.HTM>) which limits rate adjustments to age, gender, and family composition.
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- ²³¹ Wis. Stat. § 635.05(2), available at <http://www.legis.state.wi.us/statutes/Stat0635.pdf>
- ²³² Wis. Stat. § 632.7495(1)(a), available at <http://www.legis.state.wi.us/statutes/Stat0632.pdf>
- ²³³ Wyo. Stat. Ann. § 26-19-306(a), available at <http://legisweb.state.wy.us/statutes/compress/title26.doc>
- ²³⁴ Wyo. Stat. Ann. § 26-19-305(a), available at <http://legisweb.state.wy.us/statutes/compress/title26.doc>
- ²³⁵ Wyo. Stat. Ann. § 26-19-304(a)(ii), available at <http://legisweb.state.wy.us/statutes/compress/title26.doc>
- ²³⁶ Wyo. Stat. Ann. § 26-19-304(a)(iii), available at <http://legisweb.state.wy.us/statutes/compress/title26.doc>