

# HOUSE . . . . . No. 1072

By Mr. Sannicandro of Ashland, petition of Tom Sannicandro and others relative to the rights of life insurance holders. Financial Services.

## The Commonwealth of Massachusetts

PETITION OF:

Tom Sannicandro                      David B. Sullivan  
Geraldo Alicea                      Karen E. Spilka  
Christine E. Canavan

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE RIGHTS OF LIFE INSURANCE HOLDERS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 175 of the General Laws, as appearing in the 2005  
2 Official Edition, is hereby amended by inserting after section 186B  
3 the following section:

4 Section 186C Life insurance holders, “holders”, can not be  
5 deemed to have violated section 186 in the manner of misrepresenta-  
6 tion to increase the risk of loss of life companies, if holder is deter-  
7 mined to be in good health at the time of policy being issued.

8 For insurance purposes, a person should be deemed to be in  
9 “good health” at the time a policy is issued if at that time the  
10 following three conditions are met:

11 (A) The person has no identified symptoms that are caused by a  
12 disease that would result in legitimate immensurability, as observed  
13 by the life company’s medical examination process.

14 (B) The person does not have or attempt to conceal a current diag-  
15 nosis of a disease that would result in uninsurability.

16 (C) The insurance company has had an opportunity to medically  
17 examine the person.