**Section 2603.30 Prohibited Practices**

No company shall refuse to issue any contract of insurance, certificate of insurance, notices of proposed insurance, policies, endorsements or riders or decline to renew a contract, certificate, notice, policy, endorsement or rider because of the sex, sexual orientation or marital status of the insured or prospective insured. The amount of benefits payable or any term, condition or type of coverage shall not be restricted, modified, excluded or reduced on the basis of the sex, sexual orientation or marital status of the insured or prospective insured. All underwriting criteria shall be applied in all instances of similar circumstances without regard to the sex, sexual orientation or marital status of the insured or prospective insured. When benefits for elective procedures are offered, they must be offered equally.

a) Examples of the practices prohibited by this Section include, but are not limited to:

1) Offering coverage to males gainfully employed at home, employed part-time or employed by relatives, while denying or offering reduced coverage to females similarly employed;

2) Denying policy riders because of an individual's sex, sexual orientation or marital status;

3) Denying, cancelling or refusing to renew coverage, or providing coverage on different terms, because the insured or prospective insured is residing with another person or persons of either sex not related by blood or marriage;

4) Reducing disability benefits for women who become disabled while not gainfully employed full-time outside the home when a similar reduction is not applied to men;

5) Restricting availability of maternity coverages or benefits based upon marital status;

6) Offering dependent coverage to wives of male employees while denying dependent coverage to husbands of female employees;

7) Establishment of different conditions or benefit options based on an individual's sex, sexual orientation or marital status. This includes more restrictive benefit periods and more restrictive definitions of disability to women than to men, except as permitted by this Part;

8) Requiring an applicant to submit to a medical examination because of the applicant's sex, sexual orientation or marital status;

9) Denying to divorced or single persons coverage available to married persons;

10) Denying disability income contracts of insurance, certificates of insurance, notices, policies, riders or endorsements to those in similar occupational classifications because of an individual's sex, sexual orientation or marital status;

11) Considering that portion of treatment attributed to complications of pregnancy in a manner different than any other illness or sickness covered by the contract, certificate, notice, policy, endorsement or rider;

12) Limiting the amount of coverage an insured or prospective insured may purchase based upon the sex, sexual orientation or marital status of the insured or prospective insured;

13) Denying maternity coverage to an individual who has not purchased dependent or family coverage when maternity coverage is otherwise available.

b) Examples of practices not prohibited by this Section include, but are not limited to:

1) Offering annuity benefit amounts that differ (such as through the election of a settlement option in a life insurance policy) based upon the individual's sex;

2) Taking marital status into account for the purpose of determining a spouse eligible for dependent benefits under a group or family policy; marital status of the named insured or certificate holder shall not be taken into account for the purpose of determining eligibility for dependent benefits with regard to natural or adopted children and to obligations as required by the courts. When maternity benefits are provided, those benefits shall be applied to natural or adopted children who are covered as dependents.

(Source: Amended at 39 Ill. Reg. 409, effective July 1, 2015)