

ANALYSIS OF STATE LAWS PROHIBITING INSURANCE DISCRIMINATION ON THE BASIS OF DOMESTIC VIOLENCE¹

State	TYPES OF INSURANCE COVERED				PROHIBITED ACTIONS BASED ON DOMESTIC VIOLENCE								SAFEGUARDS PROVIDED			CONFIDENTIALITY AND SAFETY			ENFORCEMENT		RELIEF				
					Application of Intentional Act Exclusion to Innocent Coinsured																Injunction		Payment		
	Health (H)	Life (L)	Disability (D)	Property and Casualty (P&C)	Denial	Cancellation	Claims Exclusions/Limitations	Claims Denial	Rating Surcharge	Payments Required to Innocent Coinsured	Prerequisites for Payment to Innocent Coinsured	Permits or Requires Subrogation	For Abuse-Related Medical Condition	For Abuse-Related Claims History	Requires Written Notice of Adverse Action	Forbids Inquiry of Domestic Violence	Forbids Disclosure of Domestic Violence	Requires Protocol	Administrative Remedy	Private Right of Action	Cease and Desist	Corrective Action for the Individual Harmed	Penalties	Restitution/Claims to Individual Harmed	
ALABAMA	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	File a complaint for Protection From Abuse and not voluntarily dismiss the complaint, or seek a warrant for abuser's arrest and cooperate in the prosecution	Yes	Yes	Yes	Yes	No, but disclosure may not be required	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	
ALASKA	Yes	Yes	Yes	Yes	Yes ²	Yes ²	Yes ²	Yes ²	Yes ²	No	N/A	N/A	No	No	Yes, for applicants	No	No	No	Yes	No	Yes	No	Yes	Yes	
ARIZONA	Yes	Yes	Yes	Yes	Yes ²	Yes ²	Yes ²	Yes	Yes ²	Yes	Cooperate in any investigation	No	Yes	No	Yes	No	No	Yes	No	No	Yes	No	Yes	No	
CALIFORNIA	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No	N/A	N/A	Yes (H, D)	No	No	Yes (P&C)	No	No	Yes	No	Yes	Yes	Yes	Yes	
COLORADO	Yes	Yes	Yes	Yes	Yes ²	Yes ²	No	No	Yes ²	No	N/A	N/A	Yes	Yes	Yes	Yes	No	Yes	No	Yes	No	Yes	No	No	
CONNECTICUT	Yes	No	No	No	Yes	Yes	Yes	No	Yes	No	N/A	N/A	No	No	No	No	No	No	Yes	No	Yes	No	Yes	No	
DELAWARE	Yes	Yes	Yes	Yes	Yes (H, L) Yes (P&C) ²	Yes (H, L) Yes (P&C) ²	Yes (H, L) No (P&C)	Yes (H, L) No (P&C)	Yes	Yes	Insured does not refuse to cooperate w/ law enforcement	Yes	Yes (P&C)	Yes (P&C)	No	Yes	No	No	Yes	No	Yes	No	Yes	No	
FLORIDA	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	N/A	N/A	Yes	No	No	No	No	Yes	No	Yes	No	Yes	Yes	Yes	
GEORGIA	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Bring a family violence complaint	No	Yes	No	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	
HAWAII	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	File a police report and cooperate with law enforcement	Yes	No	No	No	No	No	Yes	No	Yes	No	Yes	No	No	
ILLINOIS	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Loss arose out of a pattern of criminal domestic violence, and the perpetrator is criminally prosecuted	No	No	No	No	Yes	Yes	Yes	Yes	No	Yes	No	Yes	No	
INDIANA	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	No	N/A	N/A	Yes	No	No	Yes	No	Yes	No	Yes	No	Yes	No	No	
IOWA	Yes	Yes	Yes	Yes	Yes ²	No	Yes ²	No	Yes ²	No	N/A	N/A	No	No	No	No	No	Yes	No	Yes	No	Yes	No	No	
KANSAS	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	No	N/A	N/A	Yes	No	No	Yes	No	Yes	No	Yes	No	Yes	Yes	Yes	
KENTUCKY	Yes	No	No	Yes	Yes (H) Yes (P&C) ²	Yes (H) Yes (P&C) ²	Yes (H) Yes (P&C) ²	Yes (H) No (P&C)	Yes (H) Yes (P&C) ²	Yes	Loss arose out of a pattern of domestic violence, and the perpetrator is criminally prosecuted	No	No	No	No	No	No	No	Yes	No	Yes	No	Yes	Yes	
LOUISIANA	Yes	No	No	No	Yes ²	No	Yes ²	Yes ²	Yes ²	No	N/A	N/A	No	No	No	No	Yes	No	Yes	No	Yes	No	Yes	No	
MAINE	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	No	N/A	N/A	Yes	No	Yes	No	No	Yes	No	Yes	No	Yes	Yes	Yes	
MARYLAND	Yes	Yes	No	No	Yes	Yes	No	Yes	Yes	No	N/A	N/A	No	No	No	No	No	Yes	No	Yes	No	Yes	No	No	
MASSACHUSETTS	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	N/A	N/A	No	No	No	Yes	No	Yes	No	Yes	No	Yes	No	No	
MICHIGAN	Yes	Yes	No	No	Yes ²	Yes ²	No	No	Yes ²	No	N/A	N/A	No	No	No	No	No	Yes	No	Yes	No	Yes	No	No	
MINNESOTA	Yes	Yes	No	No	Yes	No	Yes	No	Yes	No	N/A	N/A	No	No	No	No	No	Yes	No	Yes	No	Yes	No	No	
MISSOURI	Yes	Yes	Yes	Yes	Yes ²	Yes ²	Yes ²	Yes ²	Yes ²	Yes	File a police report, complete a sworn affidavit indicating the cause of the loss, and pledge to cooperate in prosecution	Yes	No	No	No	No	No	Yes	No	Yes	No	Yes	No	No	
MONTANA	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	N/A	N/A	Yes	Yes	Yes	No	No	Yes	No	Yes	No	Yes	Yes	No	
NEBRASKA	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	No	Yes	No	Yes	No	Yes	No	No	
NEVADA	Yes	No	No	No	Yes ²	Yes ²	No	Yes ²	No	No	N/A	N/A	No	No	No	No	No	Yes	No	Yes	No	Yes	No	No	
NEW HAMPSHIRE	Yes	Yes	Yes	Yes	Yes ²	Yes ²	Yes	No	No	No	N/A	N/A	No	No	No	No	No	Yes	No	Yes, after violation found by insurance commissioner	Yes	No	Yes	Yes	
NEW JERSEY	Yes	Yes	No	Yes	Yes(L, P&C)	Yes(L, P&C)	Yes(L, P&C)	Yes	Yes(L, P&C)	Yes(L, P&C)	No	No	No	No	No	Yes(H,L)	Yes(L, P&C)	No	Yes	No	Yes	Yes(L, P&C)	Yes	Yes(L, P&C)	
NEW MEXICO	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	
NEW YORK	Yes	Yes	Yes	Yes	Yes ²	Yes ²	No	No	Yes ²	No	N/A	N/A	Yes	Yes	No	No	Yes	No	Yes	No	Yes	No	Yes	No	
NORTH DAKOTA	No	No	No	Yes	Yes ²	No	No	Yes ²	Yes ²	Yes	The perpetrator is criminally prosecuted	No	No	No	No	No	No	Yes	No	Yes	No	Yes	No	No	
OHIO	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	N/A	N/A	Yes	No	No	No	No	Yes	No	Yes	No	Yes	No	No	
OREGON	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	N/A	N/A	No	No	No	No	No	Yes	No	Yes	Yes	Yes	No	No	
PENNSYLVANIA	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No	N/A	N/A	No	No	No	No	No	Yes	No	Yes	No	Yes	No	No	
RHODE ISLAND	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	N/A	N/A	Yes	No	Yes	Yes (L)	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	
TENNESSEE	Yes	No	No	No	Yes	Yes	Yes	Yes	Yes	No	N/A	N/A	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	
TEXAS	Yes	Yes	No	No	Yes	Yes	Yes	No	Yes	No	N/A	N/A	Yes	Yes	No	Yes	Yes	No	Yes	No	Yes, if sustained actual damages	Yes	Yes	Yes	Yes
UTAH	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	No	N/A	N/A	Yes	No	Yes	Yes	No	Yes	No	Yes	Yes	No	Yes	No	
VIRGINIA	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	N/A	N/A	No	No	No	No	No	Yes	No	Yes	Yes	Yes	Yes	Yes	
WASHINGTON	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	File a police report and cooperate with law enforcement	Yes	No	No	No	No	No	Yes	No	Yes	No	Yes	No	No	
WEST VIRGINIA	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	No	N/A	N/A	Yes	No	No	Yes	No	Yes	No	Yes	No	Yes	Yes	Yes	
WISCONSIN	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	The perpetrator is criminally prosecuted	No	Yes	No	No	Yes	Yes	No	Yes	No	Yes	No	Yes	No	

¹ This chart is current through May, 2003. It does not list state statutes which were adopted pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA), which requires states to enforce federal health plan standards, one of which prohibits insurers from denying group coverage or conversion from group to individual coverage on the basis of health conditions arising from domestic violence.

² Prohibited when based "solely" or "only" on status as a victim of domestic violence.