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INSURANCE

*Unfair Trade Practices: Prohibit Discrimination
Against Victims of Family Violence in Insurance
Coverage, Rates, and Claims*

CODE SECTION: O.C.G.A. § 33-6-4 (amended)
BILL NUMBER: SB 464
ACT NUMBER: 494
GEORGIA LAWS: 2000 Ga. Laws 236
SUMMARY: The Act changes the Georgia Code section on unfair practices in the insurance industry by adding a prohibition on discrimination against victims of family violence. Specifically, it makes it unlawful in Georgia for an insurer to refuse applications from individuals, to refuse to insure them, to cancel or restrict existing coverage, to charge a different rate or add a differential to premiums, or to limit or deny coverage or claims because the insurer believes an individual has been or may be a victim of family violence. The Act further bans taking such adverse insurance actions against an individual or entity because it provides shelter, counseling, or protection to victims of family violence. Confidential information on family violence must not be collected or disclosed except under limited circumstances in which adverse decisions are not likely to be made against the victims as a result. Finally, the Act gives domestic abuse victims the ability to continue their health insurance coverage when the policy was issued in the name of the abuser and would otherwise be canceled.

EFFECTIVE DATE: July 1, 2000

History

In Washington, a woman's claim under her homeowner's insurance coverage was denied (and the denial upheld in court) when her ex-husband "torched" her house.¹ An insurance agent in the same state told her representative in the United States Senate that she had been instructed by her employer not to issue policies to women whose medical records indicated domestic abuse.² In Minnesota, when a battered woman's program was denied automobile insurance for its company car, the insurance agent defended his denial, stating he could not be sure that the employees driving it were not being followed, presumably by vindictive batterers.³ A Pennsylvania woman, who had sought emergency room treatment twice when her husband abused her (though she accurately reported the cause of the injury only on the second occasion), discovered four years later that she could not get life insurance because domestic violence was documented in her medical record.⁴ A Georgia resident, attacked and beaten so badly by her ex-husband that she suffered a stroke, was unable to reinstate homeowner and car insurance policies that her ex-husband had canceled the day before he attacked her.⁵ Although he was arrested and eventually sentenced to twenty years in prison, the insurance company told her that if her ex-husband were released, he could

1. See Dan Lonkevich, *Safeco Settles Dispute Over Domestic Abuse*, NAT'L UNDERWRITER PROP. & CASUALTY-RISK & BEN. MGMT., Dec. 8, 1997, at 2, available in 1997 WL 9332549; see also George A. Norris, *Victims of Domestic Violence: A New Class of Insureds?*, LIFE ASS'N NEWS, Nov. 1, 1997, at 28, available in 1997 WL 25053699.

2. See Lonkevich, *supra* note 1. In other Washington state cases, the parents of a boy abused at a day-care center were unable to buy a health insurance policy for him, and a woman who sought to increase the amount of her life insurance was turned down when the insurance company learned that she was visiting a therapist for stress related to domestic abuse. See Monica C. Fountain, *Battered Uninsurable: Some Companies Won't Cover Women Hurt in Domestic Violence*, DALLAS MORNING NEWS, July 19, 1995, at 5C.

3. See Matt McKinney, *Bill Targets Alleged Insurance Bias Against Abuse Victims*, STAR TRIB. (Minneapolis-St. Paul), Mar. 21, 1996, at 4A.

4. See Fountain, *supra* note 2.

5. See Andy Miller, *Effort To Outlaw "Pinklining" by Insurers Gains Steam*, ATLANTA J. & CONST., Mar. 12, 2000, at D1.

drive her car off the road or set her house on fire; as a result, she was judged to have a risky lifestyle and denied coverage.⁶

These are examples of a practice that has been dubbed “pinklining.”⁷ Insurance companies sometimes deny coverage, refuse to pay claims, cancel policies, or increase the insurance rates charged to battered women once the insurer knows that a woman has been the victim of domestic abuse.⁸ While insurers insist that evidence of such discrimination is rare,⁹ others believe that women are often not told the reason, or do not realize why they are being dropped from insurance policies or otherwise treated unjustly by the insurance industry.¹⁰

An anti-pinklining bill was proposed in the Georgia General Assembly in 1997, but the initiative languished for the next three years.¹¹ For example, SB 186 and HB 659, both prohibiting pinklining, were on the 1998 legislative agenda but failed to garner the needed support.¹² The insurance lobby in Georgia was said to have “quashed” these bills.¹³ Meanwhile, critics charged insurance companies across the nation with unjustly

6. *See id.*; *see also* Editorial, *Stop Bias Against Battered Women*, ATLANTA J. & CONST., Mar. 16, 2000, at A22.

7. Pinklining is an alleged practice by insurance companies to deny coverage to victims of domestic violence. *Lawmakers 2000* (GPTV broadcast, Feb. 16, 2000) (on file with the *Georgia State University Law Review*). “Pinklining” is a variation on “redlining,” a term which has been used to label the discriminatory practices of insurance companies that charge inflated prices based on race for home and auto insurance and of financial institutions that refuse to approve loans for homes in disadvantaged neighborhoods. *See* Peter Mantius, *Insurance Commissioner: Ethics Issues Could Haunt Oxendine*, ATLANTA J. & CONST., July 16, 1998, at D4; Miller, *supra* note 5.

8. *See* D. Edwards, *Legal Reform and Education for Advocacy* (last modified Sept. 24, 1999) <<http://www3.undp.org/www/women-power/msg00217.html>>.

9. *See* Norris, *supra* note 1.

10. *See* Laurie Wilson, *Few Complaints Have Been Filed in Texas*, DALLAS MORNING NEWS, July 19, 1995, at 11C (observing that some battered women become so used to living with abuse that they think they deserve abuse, and that such women are unlikely to be militant about being denied insurance).

11. *See* Mantius, *supra* note 7. Georgia insurance lobbyists took an interest in the anti-pinklining legislation from the bill’s first introduction. *See id.* (quoting a State Farm Insurance lobbyist in February 1997 on his company’s stance on the first anti-pinklining bill). Nevertheless, in November 1997, unnamed insurance agents in Georgia reported that the pinklining issue had not surfaced in Georgia. *See* Norris, *supra* note 1.

12. *See* Editorial, *Stop Bias Against Battered Women*, *supra* note 6.

13. *See id.*

comparing battered women to diabetics who neglect to take their insulin, or to race car drivers,¹⁴ smokers, and skydivers.¹⁵

A number of organizations, including the Georgia Coalition on Family Violence (GCFV), the Women's Policy Group (WPG), the Atlanta National Organization for Women (NOW), the Feminist Women's Health Center (FWHC), the Georgia Network to End Sexual Assault (GNESA), and Men Stopping Violence (MSV), worked to educate the public and continued to lobby for passage of anti-pinklining legislation in Georgia.¹⁶ Once the 2000 General Assembly session was underway and a domestic violence insurance bill had been introduced for the fourth straight year, Governor Roy Barnes¹⁷ took an aggressive position that Georgia needed to end pinklining.¹⁸ By 2000, thirty-one states had enacted laws to outlaw pinklining.¹⁹

14. See Margo L. Ely, *Abuse Victims Face New Battle: Insurance*, CHL DAILY L. BULL., May 12, 1997, at 6.

15. See Bernard Sanders, *Sanders Introduces Bill To Halt Insurance Discrimination Against Domestic Violence Victims*, GOV'T PRESS RELEASES, Mar. 18, 1997, available in 1997 WL 4430684.

16. See 1999 Georgia Rural Urban Summit, *Legislative Issues Summary* (visited Apr. 1, 2000) <<http://www.garus.org/99IssSumm.htm>>.

17. The impact of the Democratic Governor's interest in the pinklining issue can hardly be overemphasized in a session where he earned the nickname of "King Roy" from the Georgia lawmakers. See Kathey Pruitt, *Knights of Gold Dome Are Wary of "King Roy,"* ATLANTA J. & CONST., Mar. 26, 2000, at D1. In the 1999 session, Governor Barnes had successfully urged the General Assembly to establish an Office of Consumer Affairs within the Governor's office. See *Review of Selected 1999 Georgia Legislation*, 16 GA. ST. U. L. REV. 133, 133 (1999). The five-person team was set up to serve as an advocate for Georgia citizens in disputes over insurance rates and claims, and some critics saw the establishment of the team as a ploy to dilute the office of the Insurance Commissioner, an elected Republican. See Pruitt, *supra*.

18. See Editorial, *Stop Bias Against Battered Women*, *supra* note 6. In a news conference the day the anti-pinklining bill was filed, Governor Barnes described how one company had refused to insure a staff member at a Georgia battered women's shelter because she had been shot repeatedly by an abuser. See *Lawmakers*, *supra* note 7 (remarks by Gov. Roy Barnes). Governor Barnes responded to criticism that costs would go up for Georgia insurers and consumers by pointing out that the solvency of insurance companies is protected by rate making policies. See *id.* The remarks of Michael Harrold, Director of Insurance Reform at Citizens for a Sound Economy in Washington, D.C., illustrate the opposing view: "[R]equiring insurers to ignore the real risks and real costs associated with this 'special class' of insured will create an unprecedented preference for subjects of domestic abuse and raise the costs of insurance for other policyholders." Norris, *supra* note 1.

19. See Editorial, *Stop Bias Against Battered Women*, *supra* note 6.

*SB 464**Introduction*

Senators Connie Stokes of the 43rd District, Steve Thompson of the 33rd District, and Charlie Tanksley of the 32nd District sponsored SB 464.²⁰ The Senate referred the bill to its Insurance and Labor Committee, which favorably reported the bill, as substituted, on March 1, 2000.²¹ The Senate adopted the Insurance and Labor Committee substitute and passed the bill unanimously on March 6, 2000.²² On March 7, 2000, SB 464 was assigned to the House Insurance Committee, which favorably reported the bill, as substituted, on March 15, 2000.²³ The House adopted the Insurance Committee substitute on March 20, 2000 and unanimously passed the bill.²⁴ On March 22, 2000, the Senate agreed to the House substitute in a unanimous vote.²⁵ On April 6, 2000, Governor Roy Barnes signed SB 464 into law.²⁶

Consideration by the Senate Insurance and Labor Committee

The Senate Insurance and Labor Committee made several changes to the bill, with modifications favoring the insurer.²⁷ For example, the Committee changed two provisions that established a paper trail of written documentation.²⁸ In one passage, the Committee deleted a clause that required the recipient of confidential family violence information to sign a written agreement to be bound by the provisions of the proposed Code section and to be subject to the jurisdiction of

20. See SB 464, as introduced, 2000 Ga. Gen. Assem.

21. See State of Georgia Final Composite Status Sheet, Mar. 22, 2000.

22. See Georgia Senate Voting Record, SB 464 (Mar. 6, 2000); State of Georgia Final Composite Status Sheet, Mar. 22, 2000.

23. See State of Georgia Final Composite Status Sheet, Mar. 22, 2000.

24. See Georgia House of Representatives Voting Record, SB 464 (Mar. 20, 2000); State of Georgia Final Composite Status Sheet, Mar. 22, 2000.

25. See Georgia Senate Voting Record, SB 464 (Mar. 22, 2000).

26. See 2000 Ga. Laws 236, § 2, at 240.

27. Compare SB 464, as introduced, 2000 Ga. Gen. Assem., with SB 464 (SCS), 2000 Ga. Gen. Assem. See also Editorial, *Stop Bias Against Battered Women*, supra note 6 (asserting that insurance lobbyists had worked to weaken the bill and that it “emerged from the Senate with a number of subtle loopholes”).

28. Compare SB 464, as introduced, 2000 Ga. Gen. Assem., with SB 464 (SCS), 2000 Ga. Gen. Assem.

Georgia courts for their enforcement.²⁹ In another, the Committee lifted a requirement that the insurer explain its reasons for adverse action against a family violence victim in writing.³⁰

The Committee further revised the bill to give insurers the ability to ask about and use the claims history of an individual in making underwriting decisions.³¹ In new Code sections, the Senate Committee substitute would have stipulated that the Insurance Commissioner, not just the aggrieved party (applicant or insured), could pursue violations of the anti-pinklining provisions, with a trade-off that violations of the law could not be vindicated in a private cause of action.³²

From the Senate Labor and Insurance Committee to the Senate Floor

On March 6, 2000, Senator Stokes took the well to speak in favor of the Committee's version of SB 464.³³ She said that the research she and other supporters of the bill had reviewed indicated that somewhere between twenty-five and seventy-five percent of insurance companies factor domestic violence into their underwriting criteria,³⁴ and SB 464 was designed to eliminate that practice.³⁵ Describing the bill as a

29. Compare SB 464, as introduced, 2000 Ga. Gen. Assem., with SB 404 (SCS), 2000 Ga. Gen. Assem.

30. Compare SB 464, as introduced, 2000 Ga. Gen. Assem., with SB 464 (SCS), 2000 Ga. Gen. Assem.

31. Compare SB 464, as introduced, 2000 Ga. Gen. Assem., with SB 464 (SCS), 2000 Ga. Gen. Assem.

32. Compare SB 464, as introduced, 2000 Ga. Gen. Assem., with SB 464 (SCS), 2000 Ga. Gen. Assem. These modifications would have netted out as a complete loss for an individual who experienced discrimination because the Insurance Commissioner already had the power to investigate and pursue all suspected unfair trade practices under this chapter of the Code. See 1960 Ga. Laws 289, § 1, at 399 (codified at O.C.G.A. § 33-6-6 (2000)).

33. See Audio Recording of Senate Proceedings, Mar. 6, 2000 (remarks by Sen. Connie Stokes) <<http://www.ganet.org/services/leg/audio/2000archive.html>> [hereinafter Senate Audio].

34. See *id.* An informal survey by the staff of the Subcommittee on Crime and Criminal Justice of the U.S. House Judiciary Committee found that fifty percent of the sixteen largest insurance companies in the nation considered domestic violence as a factor in deciding whether to issue policies and in determining premiums. See National Coalition Against Domestic Violence, *Domestic Violence Prevention* (visited June 12, 2000) <<http://www.ncadv.org/publicpolicy/titleIV.html>>.

35. See Senate Audio, *supra* note 33.

“comprehensive set of insurance safeguards”³⁶ for victims of domestic abuse, primarily women and children, Senator Stokes promoted the bill’s four main areas of protection: (1) insurance providers could not refuse, cancel, or restrict coverage; raise a premium; or refuse a claim because someone had experienced domestic violence; (2) insurance providers would have the same restrictions when making coverage and claims decisions on individuals and facilities that shelter victims of domestic violence; (3) health care providers would not be allowed to solicit information from current or potential policyholders in order to determine if they had been subject to domestic violence; and (4) insurers would be required to allow the victim to continue coverage in instances when the abusive individual had held an insurance policy which covered the victim.³⁷

The Senate adopted the Committee substitute and unanimously passed SB 464 on March 6, 2000.³⁸

From the Senate Floor to the House Insurance Committee

On March 7, 2000, the House assigned SB 464 to its Committee on Insurance.³⁹ The House Committee made changes to strengthen the bill to the benefit of family abuse victims.⁴⁰ The wording that prohibited discrimination against an

36. *Id.*

37. *See id.* Senator Robert Lamutt of the 21st District asked whether the bill would affect insurance companies’ policies on pre-existing conditions. *See id.* (remarks by Sen. Robert Lamutt). Senator Stokes initially indicated that the bill had nothing to do with pre-existing conditions and that any guidelines insurers already had in place regarding pre-existing conditions could be continued. *See id.* (remarks by Sen. Connie Stokes). After Senator Lamutt further clarified his question, Senator Stokes stated that if an abused individual had gone to the police and had gone to get medical treatment, an insurance company that had the ability to access those records would not be able to treat the incident as a pre-existing condition under those circumstances. *See id.* Senator Rick Price of the 28th District asked Senator Stokes to explain the meaning of “may” in the bill, given that the provisions dealt not only with individuals who had been victims, but individuals who “may be victims of family violence.” *See id.* (remarks of Sen. Rick Price). Senator Stokes explained that this wording was intended to cover situations where an insurer did not have concrete evidence that an individual had been a victim of domestic abuse, but made adverse decisions against the individual because the insurer suspected domestic abuse. *See id.* (remarks of Sen. Connie Stokes).

38. *See Georgia Senate Voting Record, SB 464 (Mar. 6, 2000).*

39. *See State of Georgia Final Composite Status Sheet, Mar. 22, 2000.*

40. *Compare SB 464 (SCS), 2000 Ga. Gen. Assem., with SB 464 (HCS), 2000 Ga. Gen. Assem. See also Editorial, Stop Bias Against Battered Women, supra note 6 (supporting the anti-pinklining bill and asserting that “[l]oopholes . . . were removed by the House*

applicant or insured who “may be” a victim of family violence was enlarged to provide that discrimination is prohibited if the insurer knows or has reason to know that the individual may be a family violence victim.⁴¹ The Committee changed restrictions on the disclosure of family violence information to sweep beyond the Senate’s wording of situations “pursuant to this paragraph,” to situations “pursuant to this division.”⁴² The Committee stiffened a couple of permissive, present-focused phrases about victim rights—“does not preclude” and “does not prohibit”—to “shall not preclude” and “shall not prohibit.”⁴³ The Committee also changed the language from what had been the “legally insurable interest” of parties who go to the insurer for restitution when a perpetrator of family violence has damaged their property to the original Senate bill’s language, “legal interest.”⁴⁴

More significantly, though, the House Committee deleted clauses that had been inserted by the Senate Committee that provided for enforcement by the Insurance Commissioner and that limited a private cause of action.⁴⁵ The House Committee also took a different approach from the Senate Committee with respect to the continuation of insurance coverage for a family violence victim.⁴⁶ When the perpetrator of family violence is the one who carries the coverage and the perpetrator subsequently divorces, loses custody, or in some other fashion causes a dependent abuse victim’s coverage to be terminated, the Senate’s version of the bill would have relied on the federally-established Consolidated Omnibus Budget Reconciliation Act (COBRA) rights to continue insurance coverage for the victim.⁴⁷

Insurance Committee this week”).

41. Compare SB 464 (SCS), 2000 Ga. Gen. Assem., with SB 464 (HCS), 2000 Ga. Gen. Assem.

42. Compare SB 464 (SCS), 2000 Ga. Gen. Assem., with SB 464 (HCS), 2000 Ga. Gen. Assem.

43. Compare SB 464 (SCS), 2000 Ga. Gen. Assem., with SB 464 (HCS), 2000 Ga. Gen. Assem.

44. Compare SB 464 (SCS), 2000 Ga. Gen. Assem., with SB 464 (HCS), 2000 Ga. Gen. Assem.

45. Compare SB 464 (SCS), 2000 Ga. Gen. Assem., with SB 464 (HCS), 2000 Ga. Gen. Assem., and SB 464, as introduced, 2000 Ga. Gen. Assem.

46. Compare SB 464 (SCS), 2000 Ga. Gen. Assem., with SB 464 (HCS), 2000 Ga. Gen. Assem.

47. See SB 464 (SCS), 2000 Ga. Gen. Assem.

The House Committee provided potentially more advantageous coverage by referencing Code section 33-24-21.1 and declaring family violence victims to be “qualifying eligible individuals” under that Code section.⁴⁸ In order to implement this provision, insurers would be permitted to ask for information on family violence.⁴⁹

Finally, the House Insurance Committee added a new provision to require that, for twenty-four months following the effective date of the Act, insurance companies must include with each policy and renewal certificate the following notification of the new law: “NOTICE: The laws of the State of Georgia prohibit insurers from unfairly discriminating against any person based upon his or her status as a victim of family violence.”⁵⁰

From the House Insurance Committee to the House Floor

The House Committee’s version of SB 464 was presented to the House for discussion and a vote on March 20, 2000.⁵¹ The House adopted the Committee substitute and passed SB 464 unanimously, without debate.⁵²

48. Compare SB 464 (SCS), 2000 Ga. Gen. Assem., with SB 464 (HCS), 2000 Ga. Gen. Assem. See O.C.G.A. § 33-24-21.1 (2000) (providing that “qualified eligible individuals whose insurance under the group contract or plan would otherwise terminate shall be entitled to continue their hospital, surgical, and major medical insurance coverage under that group contract or plan for themselves and their eligible dependents”).

49. Compare SB 464 (SCS), 2000 Ga. Gen. Assem., with SB 464 (HCS), 2000 Ga. Gen. Assem.

50. Compare SB 464 (SCS), 2000 Ga. Gen. Assem., with SB 464 (HCS), 2000 Ga. Gen. Assem.

51. See State of Georgia Final Composite Status Sheet, Mar. 22, 2000. The Governor’s floor leader in the House, Charlie Smith of the 175th District, explained to his fellow Representatives that studies and inquiries from Texas and other places indicated that an individual’s status as a family violence victim was, in some cases, being used to make insurance decisions. See Audio Recording of House Proceedings, Mar. 20, 2000 (remarks by Rep. Charlie Smith) <<http://www.ganet.org/services/leg/audio/2000archive.html>>. Representative Smith stated that the bill “does not prevent the insurance industry from applying generally accepted principles and guidelines when making underwriting decisions.” *Id.*

52. See Georgia House of Representatives Voting Record, SB 464 (Mar. 20, 2000).

From the House Floor to Version as Passed

The bill returned to the Senate on March 22, 2000.⁵³ The Senate agreed to the House substitute by a unanimous vote.⁵⁴ Governor Roy Barnes made the anti-pinklining legislation one of the first bills he approved after the legislative session, signing the bill into law on April 6, 2000.⁵⁵

The Act

The Act amends Code section 33-6-4 on unfair insurance practices by adding a new paragraph to the section that prohibits discrimination against victims of family violence.⁵⁶ It was specifically designed to prevent insurance companies from using family violence as a basis to deny, limit, or charge more for coverage, or to deny or limit claims.⁵⁷

The Act defines 'family violence' by reference to other Code sections, thereby defining 'family' as: present and past spouses, parents and children (including stepparents and stepchildren), persons who are parents of the same child, and other persons living or formerly living in the same household, and thereby including 'violence' activities such as battery, assault, unlawful restraint, stalking, damage to property, criminal trespass, and criminal damage to property.⁵⁸ The Act specifically does not apply to "reasonable discipline administered by a parent to a child in the form of corporal punishment, restraint, or detention."⁵⁹ The Act's non-discrimination provisions apply to health, life, disability, property, and casualty insurance.⁶⁰

The Act prohibits insurers from discriminating against a victim of family violence by denying or terminating insurance,

53. See State of Georgia Final Composite Status Sheet, Mar. 22, 2000. Senator Stokes explained the House's changes to SB 464, but no one asked questions or debated the House version of the bill. See Audio Recording of Senate Proceedings, Mar. 22, 2000 (remarks by Sen. Connie Stokes) <<http://www.ganet.org/services/leg/audio/2000archive.html>>.

54. See Georgia Senate Voting Record, SB 464 (Mar. 22, 2000).

55. See 2000 Ga. Laws 236, § 2, at 240.

56. Compare 1992 Ga. Laws 996, § 3, at 997 (formerly found at O.C.G.A. § 33-6-4 (1992)), with O.C.G.A. § 33-6-4 (2000).

57. See *Lawmakers*, supra note 7.

58. See O.C.G.A. § 33-6-4(b)(15)(A)(i) (2000); see also *id.* §§ 19-3-1, -13 (1999).

59. See *id.* § 33-6-4(b)(15)(A)(i) (2000); see also *id.* § 19-3-1 (1999).

60. Compare 1992 Ga. Laws 996, § 3, at 997 (formerly found at O.C.G.A. § 33-6-4 (1992)), with O.C.G.A. § 33-6-4 (2000).

limiting coverage or denying claims, charging higher premium rates, or terminating health coverage for a victim of abuse when coverage was originally issued in the abuser's name, and the acts or the omissions of the abuser would otherwise cause the victim to lose coverage.⁶¹ The Act further prohibits insurers from improperly using, disclosing, or transferring "confidential family violence information," which is defined as information about acts of family violence, the status of family violence victims, medical conditions related to family violence, and the work and home telephone numbers and addresses of family violence victims.⁶²

The Act also extends its non-discrimination provisions to anyone who harbors or helps a victim of domestic abuse.⁶³ For example, the Act prohibits an insurer from using abuse-related information against a shelter serving victims of abuse.⁶⁴ For twenty-four months after the passage of the Act, insurers must provide a specified notice to policyholders whenever insurance policies are issued or renewed that informs them of the new anti-discrimination provisions of Georgia law.⁶⁵

The Act falls under Chapter 6, Unfair Trade Practices, of Title 33, Insurance, of the Code, in which the Insurance Commissioner is authorized to fine insurers up to \$1000 for each violation or up to \$5000 in the case of repeat offenders.⁶⁶ Individuals who suspect discrimination under the Act may call the Consumer Division of the State Insurance Commissioner's Office for assistance and to provide the Commissioner with leads on insurance companies that may need to be investigated for non-compliance.⁶⁷

Rebecca Brannan

61. See O.C.G.A. § 33-6-4(b)(15)(B), (D) (2000).

62. See *id.* § 33-6-4(b)(15)(A)(ii), (C).

63. See *id.* § 33-6-4(b)(15)(B).

64. See *Lawmakers*, *supra* note 7.

65. See *id.*; see also O.C.G.A. § 33-6-4(b)(15)(I) (2000).

66. See O.C.G.A. §§ 33-6-6 to -8 (2000); see also *Lawmakers*, *supra* note 7 (remarks of Insurance Commissioner John Oxendine).

67. See O.C.G.A. §§ 33-6-6 to -8 (2000); see also *Lawmakers*, *supra* note 7 (remarks of Insurance Commissioner John Oxendine).