

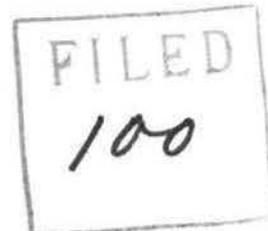
INSURANCE:

A life insurance company is in violation of Section 375.936, House Bill No. 84, Seventy-fifth General Assembly, if it issues a policy which excludes benefits payable to chiropractors.

OPINION NO. 100

March 30, 1970

Honorable Herman P. Winkelmann
State Representative
48th District
10111 Stonell Drive
St. Louis, Missouri 63123



Dear Representative Winkelmann:

This opinion is in response to your request for a ruling on whether Section 375.936, passed by the Seventy-fifth General Assembly in House Bill No. 84, prohibits life insurance companies from writing a policy which excludes by definition benefits payable to chiropractors.

Section 375.936, House Bill No. 84, Seventy-fifth General Assembly reads in part as follows:

"The following are hereby defined as unfair methods of competition and unfair and deceptive acts or practices in the business of insurance:

* * * *

"7. 'Unfair discrimination'

* * * *

"b. Making or permitting any unfair discrimination between the individuals of the same class and of essentially

Honorable Herman P. Winkelmann

the same hazard in the amount of premium, policy fees, or rates charged for any policy or contract of accident or health insurance in the benefits payable thereunder, or in any of the terms or conditions of such contract, or in any other manner whatever including any unfair discrimination by not permitting the insured full freedom of choice in the selection of any duly licensed physicial, surgeon, or chiropractor;"

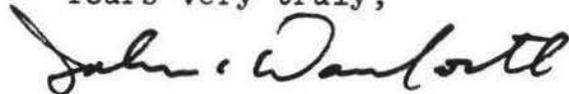
The language above quoted clearly enunciates an intention on the part of the legislature to prohibit an insurance company from excluding the use of a chiropractor by an insured.

CONCLUSION

It is the opinion of this office that a life insurance company is in violation of Section 375.936, House Bill No. 84, Seventy-fifth General Assembly, if it issues a policy which excludes benefits payable to chiropractors.

The foregoing opinion, which I hereby approve, was prepared by my Assistant, Alfred C. Sikes.

Yours very truly,



JOHN C. DANFORTH
Attorney General