

CHAPTER 238

AUTOMOBILE INSURANCE DISCRIMINATION

H. F. 36

AN ACT relating to discrimination in the renewal of automobile insurance.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section five hundred fifteen D point six (515D.6), un-
2 numbered paragraph one (1), Code 1975, is amended to read as fol-
3 lows:

4 No insurer shall refuse to renew a policy solely because of age, resi-
5 dence, sex, race, color, creed, or occupation of an insured.

Approved June 6, 1975

CHAPTER 239

MEDICAL MALPRACTICE

H. F. 803

AN ACT relating to the compensation of persons suffering loss as a result of medical malpractice.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The general assembly finds that a critical situation ex-
2 ists because of the high cost and impending unavailability of medical
3 malpractice insurance. The purposes of sections two (2) through thir-
4 teen (13) of this Act are to assure that the public is adequately protect-
5 ed against losses arising out of medical malpractice by providing
6 licensed health care providers with medical malpractice insurance
7 through the requirement that certain liability insurance carriers write
8 medical malpractice insurance for a period of two years upon a finding
9 of an emergency by the commissioner of insurance that either such in-
10 surance is not available through normal channels or that it is not avail-
11 able on a reasonable basis because of lack of competition for such
12 insurance, or otherwise; to establish an association to equitably spread
13 the risks for such insurance; and to provide for recoupment of losses re-
14 sulting from the operation of the association through a stabilization re-
15 serve fund contributed to by insureds, a surcharge on future liability
16 insurance policies, or a favorable premium tax treatment.

17 It is the intent of this Act to provide only an interim solution to the
18 impending unavailability of medical malpractice insurance. It is not
19 anticipated that this Act will resolve the underlying causes of the un-
20 availability and high cost which extend beyond the insurance mecha-
21 nism. It is anticipated that future legislation will be required to deal
22 on a more permanent basis with the underlying causes of the current
23 situation.

1 SEC. 2. NEW SECTION. **Definitions.** As used in this Act, unless
2 the context otherwise requires:

3 1. "Association" means the joint underwriting association established
4 pursuant to sections two (2) through thirteen (13) of this Act.

5 2. "Commissioner" means the commissioner of insurance or a desig-
6 nee.