

---

# 42 U.S. Code § 300gg

---

## Fair health insurance premiums

---

### **(a) [1] Prohibiting discriminatory premium rates**

#### **(1) In general**

With respect to the premium rate charged by a health insurance issuer for health insurance coverage offered in the individual or small group market—

(A) such rate shall vary with respect to the particular plan or coverage involved only by—

- (i) whether such plan or coverage covers an individual or family;
- (ii) rating area, as established in accordance with paragraph (2);
- (iii) age, except that such rate shall not vary by more than 3 to 1 for adults (consistent with section 300gg–6(c) of this title); and
- (iv) tobacco use, except that such rate shall not vary by more than 1.5 to 1; and

(B) such rate shall not vary with respect to the particular plan or coverage involved by any other factor not described in subparagraph (A).

This document is only available to subscribers. Please [log in](#) or [purchase access](#).

[Purchase Login](#)