



Rules of
Department of Insurance,
Financial Institutions and
Professional Registration
Division 100—Insurer Conduct
Chapter 2—Unfair Trade Practices

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**Title 20—DEPARTMENT OF
INSURANCE, FINANCIAL
INSTITUTIONS AND
PROFESSIONAL REGISTRATION
Division 100—Insurer Conduct
Chapter 2—Unfair Trade Practices**

20 CSR 100-2.100 Unfair Financial Planning Practices

PURPOSE: This rule defines in part false information and advertising under section 375.936(4), RSMo.

(1) No insurance producer licensed by the department shall—

(A) Represent him/herself, directly or indirectly, to the public as a financial planner, advisor, consultant or counselor in a manner as to imply or offer any services other than—

1. Those authorized by his/her issued insurance licenses;

2. Those authorized by other issued professional licenses; or

3. Those not requiring a license. This provision is not intended to prevent persons who hold a financial planning consultant designation from using this designation when they are only selling insurance;

(B) Represent him/herself as being in the business of financial planning without disclosing to the client that s/he is licensed as an insurance producer in Missouri; and

(C) Charge a fee or other form of compensation for financial planning when that person is selling insurance unless that person is licensed as an insurance producer and complies with the requirements of section 375.116, RSMo.

AUTHORITY: section 374.045, RSMo 2000. This rule was previously filed as 4 CSR 190-10.120. Original rule filed Oct. 16, 1989, effective April 15, 1990. Amended: Filed Nov. 1, 2007, effective July 30, 2008.*

**Original authority: 374.045, RSMo 1967, amended 1993, 1995.*

20 CSR 100-2.200 Unfair Discrimination on the Basis of Blindness, Partial Blindness or Physical or Mental Impairment

PURPOSE: This regulation identifies specific acts or practices which are prohibited by section 375.936, RSMo. It follows the National Association of Insurance Commissioners model regulation dealing with discrimination based on blindness or partial blindness and its model regulation dealing with discrimination based on physical or mental impairment.

(1) Unfairly Discriminatory Acts or Practices Regarding Blindness or Partial Blindness. The following are identified as acts or practices which constitute unfair discrimination between individuals of the same class: refusing to insure, or refusing to continue to insure, or limiting the amount, extent or kind of coverage available to an individual or charging an individual a different rate for the same coverage solely because of blindness or partial blindness.

(A) With respect to all other conditions, including the underlying cause of blindness, persons who are blind or partially blind shall be subject to the same standards of sound actuarial principles or actual or reasonably anticipated experience as are sighted persons.

(B) Refusal to insure includes denial by an insurer of disability insurance coverage on the grounds that the policy defines disability as being presumed in the event that the insured loses his/her eyesight. However, an insurer may exclude from coverage disabilities consisting solely of blindness or partial blindness when this condition existed at the time the policy was issued.

(2) Unfairly Discriminatory Acts or Practices Regarding Physical or Mental Impairment. The following are identified as acts or practices in life and health insurance which constitute unfair discrimination between individuals of the same class: refusing to insure, or refusing to continue to insure, or limiting the amount, extent or kind of coverage available to an individual, or charging a different rate for the same coverage solely because of a physical or mental impairment, except where the refusal, limitation or rate differential is based on sound actuarial principles or is related to actual or reasonably anticipated experience.

AUTHORITY: sections 374.045 and 375.936, RSMo 2000. This rule was previously filed as 4 CSR 190-13.170. Original rule filed Feb. 10, 1978, effective Aug. 11, 1978. Rescinded and readopted: Filed March 7, 1985, effective Aug. 11, 1985. Amended: Filed Nov. 1, 2007, effective July 30, 2008.*

**Original authority: 374.045, RSMo 1967, amended 1993, 1995 and 375.936, RSMo 1959, amended 1967, 1969, 1971, 1976, 1978, 1983, 1991.*

20 CSR 100-2.300 The Actual Payment Must Be the Basis for Policy or Plan Calculations
(Rescinded July 30, 2008)

AUTHORITY: sections 354.085, 354.120, 354.485, 374.045, and 376.405, RSMo

1994. Original rule filed May 1, 1995, effective Dec. 30, 1995. Rescinded: Filed Nov. 1, 2007, effective July 30, 2008.