



OFFICE OF
INSURANCE COMMISSIONER

May 29, 2025

Traea McGrady

RE: Petition for rulemaking

Dear Traea,

Thank you for your interest in rulemaking at the Office of the Insurance Commissioner (OIC). This letter responds to your rulemaking petition submitted on April 2, 2025, for the purpose of amending [WAC 284-30-572](#), which relates to insurance discrimination as an unfair trade practice.

[WAC 284-30-572](#) makes it an unfair practice for any insurer to decline, cancel, or refuse to renew any homeowners, dwelling, fire, or vehicle insurance policy based on race, creed, color, national origin, religion, or ability to read, write, or speak the English language. Insurers also cannot vary terms, rates, conditions, or benefits based on any of these factors. Your petition suggests inclusion of gender in the discriminatory factors list to increase gender equality within the insurance marketplace.

Washington's statutes allow gender use in insurance rating factors. Under [RCW 48.30.300\(2\)](#), insurers are permitted to use sex (as the term appears in statute) as a rating factor for personal home and auto coverage when "bona fide statistical differences in risk or exposure have been substantiated" via the insurer's rate filing with the OIC.

After careful consideration, the Insurance Commissioner is respectfully denying your petition for rulemaking. The change you've requested would require an amendment to state law, which is the prerogative of the Washington State Legislature. The OIC does not have the authority to write rules that conflict with state law. You can find the contact information for the legislators that represent your district at app.leg.wa.gov/DistrictFinder.

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The Washington Legislature has passed legislation that directs the OIC to study “insurers’ use of credit history, credit-based insurance scores, **other rate factors that may have disparate impacts on Washington residents**, and alternatives to their use, in determining personal insurance premiums, rates, or eligibility for coverage, and the associated impacts to consumer costs and the availability of insurance.” See [ESSB 5167](#) (p. 84); emphasis added. The study will examine other rate factors, such as gender or sex, and any resulting disparate impacts on Washington residents. In such case, the OIC would review the study results and consider working with the Legislature on potential changes to the law. This report is due to the Legislature in November 2026.

Thank you again for your interest in rulemaking at the OIC.

Sincerely,

Joyce Brake

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Sent electronically