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HEALTH INSURANCE BENEFITS FOR WOMEN: A COMPARATIVE ANALYSIS OF U.S.A AND INDIA

PADMA APARAJITA PARIJA¹ & KIRTITA BANERJEE²

INTRODUCTION

Insurance and health play a very important role in our everyday lives. With the speedy and demanding life we are in, there are higher chances of falling prey of some disease or the other. When an individual gets hospitalised it generally gets extremely tough to bear the humongous medical expenses the entire procedure entails with it. In this event, having a health insurance helps³.

Over the years people have seen escalation of medical expenses and the difficulties of those especially belonging to the middle and lower strata of the society. Here thus comes the concept of insurance and more specifically health insurance. Before we probe into the area for health insurance for women, we need to understand the mean and history of insurance at the very outset.

MEANING AND HISTORY OF INSURANCE

The term insurance sees its origin in old French 'enseurance' which mingled with English 'ensure' thereby leading to the middle English term 'ensurance' which eventually in the late middle English became 'insurance'⁴.

Insurance as a concept came up as a result of marine business which was adopted by England from north Italy. Thereafter we see the concepts of fire and life insurances respectively. However, advent of both fire and life

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³ Analysis and Valuation of Insurance Companies, Centre For Excellence in Accounting and Security Analysis, Columbia Business School, <
<https://www.google.co.in/url?sa=t&rct=j&q=&esrc=s&source=web&cd=6&cad=rja&uact=8&ved=0ahUKEwjrlbztwf3QAhWetl8KHXZJBNEQFgg8MAU&url=http%3A%2F%2Fwww.columbia.edu%2F~dn75%2FAnalysis%2520and%2520Valuation%2520of%2520Insurance%2520Companies%2520%2520Final.pdf&usq=AFQjCNFz4tWbBftbYtMM6DH3jOOIHaNvyw&bvm=bv.142059868,d.c2I>> accessed on 15/12/2016.

⁴ Dr. Nilkhil Bhushan Dey, Profitability of Life Insurance Companies in India- An Analytical Study, <
www.ijoc.in/index.php/IJOC/article/viewFile/13/13> accessed on 17/12/2016.

insurances were consequences of an accident which ultimately led to its birth. The need for fire insurances was felt when a dreadful fire broke out in 1066 necessitating protection of property from the risks posed by fire.

The life insurance got formulated when an amalgamation between Albert Life Assurance Company and European Assurance Company crashed. This eventually pointed out the inadequacy of the then Companies' Act which paved the way for Life Assurance Companies Act. So far as India is concerned, the idea of insurance started coming up with the 1928 Indian Companies Act. Initially this enactment was passed on an experimental basis. The objective was to ascertain the facts and information about existing insurance companies. So that a permanent solution in the form of a legislation could be made for the country.

The 1938 Act was controlled by the Government and such control was exercised over the foreign as well as Indian insurers. The growth of economic activity in the country, insurance became a good business in the entire country. It was in 1956, that the life Insurance Corporation Act was passed thereby nationalising life insurance business in the country. The Insurance Act found its applicability confined to general insurance matters⁵.

Finally in 1972, General Insurance was also nationalised. With the establishment of IRDA monopoly of Life Insurance Corporation was destroyed. Hence we find many companies, licensed by IRDA to do so, offering life and general insurances to the general public. At present there are 24 companies offering life insurances of the public in many ways⁶.

WOMEN AND HEALTH INSURANCE

Our outlooks toward women has changed a lot,. Now a days they are seen to discharge responsibilities both outside and inside the household. Women have been subjected to violence, torture since time immemorial. It is widely believed that they physiologically they are much inferior to men⁷. Our society has also played a role in keeping women at a position where much responsibility in being endowed. Denial of playing such responsibility has led women to believe that they are committing a sin. They have always been made to think about the family

⁵ Analysis and Valuation of Insurance Companies, Centre For Excellence in Accounting and Security Analysis, Columbia Business School, <https://www.google.co.in/url?sa=t&rct=j&q=&esrc=s&source=web&cd=6&cad=rja&uact=8&ved=0ahUKEwjrlbztwf3QAhWETl8KHxzJBNEQFgg8MAU&url=http%3A%2F%2Fwww.columbia.edu%2F~dn75%2FAnalysis%2520and%2520Valuation%2520of%2520Insurance%2520Companies%2520%2520Final.pdf&usg=AFQjCNFz4tWbBftbYtMM6DH3jOOIHANvyw&bvm=bv.142059868,d.c2I> accessed on 15/12/2016.

⁶ *Ibid*

⁷ Women and Health Insurance, < <https://www.healthinsurance.org/obamacare/women-and-health-insurance/> > accessed on 30/11/2016.

first and even today that makes women more concerned about their near and dear ones but somehow on the way, their well being gets lost somewhere in the course of doing so.⁸ It is therefore required that health and safety of women are ensured by means of health insurance laws and policies so that better care of the family and in turn the society is being taken. It is often noticed that women and their large household commitments have made them oblivious of the crafts of the outer world thereby making them unsuitable for discerning dupes and cheats. This problem has been seen to occur in negotiations of insurance premiums as well.

However, in course of time women and their special needs got recognised and several policies or for that matter new insurance schemes were being introduced. In the past four five years the world has seen a vast expansion of rights provided to women. India however still lags behind in ensuring proper insurance laws to women⁹.

In comparison to United States –a developed country, India has several areas to improve and ensure a bright present and future for its women citizens in the country.

INSURANCE LAWS FOR WOMEN IN UNITED STATES AND INDIA

UNITED STATES

The Affordable Care Act ensures that no woman is being discriminated in insurance matters. By virtue of the Act, coverages are easier to obtain and ameliorates access to several health services and aids women require.

This law was brought forth by the U.S Government because women face unfair and discriminatory treatments when it comes to insurance and its related matters. They are seen to pay more premiums than men or are simply denied coverages¹⁰. Before this Act came into force, companies offering insurance policies to individuals had the liberty to either deny coverage or provide it with a condition of paying extra premiums to any woman¹¹.

⁸ Insurance Policies Designed For Women, < <http://timesofindia.indiatimes.com/business/india-business/Insurance-policies-designed-for-women/articleshow/32176376.cms> > accessed on 13/12/2016.

⁹ *Ibid*

¹⁰ Preventive Care Benefits for Women, < <https://www.healthcare.gov/preventive-care-women/> > accessed on 02/12/2016.

¹¹ Obama Care and Women: Obamacare Women's Health Services, < <http://obamacarefacts.com/obamacare-womens-health-services/> > accessed on 01/12/2016.

Under the law, it has been made illegal to discriminate anyone on the basis of pre existing conditions. It has been made compulsory to cover contraceptives as part of the insurance policy.¹² Birth control has been made a part of an essential health benefit. However, this provision includes exceptions as well.

Religious employers have been exempted from contraceptive coverage.¹³ Insurance policies are to be made more affordable. More and more men and women will get the opportunity to pay less insurance premiums. Low income women would be qualified to be included within the ambit of insurance policies. Provisions have been made to cover maternity care, outpatient and inpatient surgical procedures, mental health, rehabilitation services and prescription drugs. However, the problem remains for women as there is still lack of employer sponsored insurance and hence they are either dependent on spouse's insurance plan or have to bear the cost of insurance as a whole.

It is also seen that pregnant women have been given special services. For example: anemia screening, syphilis screening, infection screening etc. Thus going through some of the provisions, we can safely state the quality, affordability have been given primacy over everything else¹⁴. This clearly shows that importance has been given to ensuring access to insurance policies to all people and conscious effort has been taken so that women are not left deprived to cater to their needs when it came to insurance matters.

INDIA

When it comes to our country we do not have any legal provisions to cite which have been made specifically for women. However, the Married Women's Property Act is the only enactment in the country¹⁵ which made insurance provisions solely for women in the country. Apart from that, there have been several policies introduced for the benefit of women.

¹² Affordable Care Act Rules on Expanding Access to Preventive Services For Women, < <https://www.hhs.gov/healthcare/facts-and-features/fact-sheets/aca-rules-on-expanding-access-to-preventive-services-for-women/index.html?language=es> > accessed on 30/11/2016.

¹³ Women and Health Insurance, < <https://www.healthinsurance.org/obamacare/women-and-health-insurance/> > accessed on 30/11/2016.

¹⁴ Women and Health Care Law in United States, < <https://nwlc.org/resources/women-and-health-care-law-united-states/> > accessed on 28/11/2016.

¹⁵ Insurance Policies Designed For Women, < <http://timesofindia.indiatimes.com/business/india-business/Insurance-policies-designed-for-women/articleshow/32176376.cms> > accessed on 13/12/2016.

Some of these are follows:

1. **HDFC Life Smart Woman Ulip:** here few benefits are given exclusively to women. The policy mainly covers life altering situations for women. For example childbirth, death of spouse, critical illness etc. Now on the variant chosen, the product allows a woman to stop paying her premiums for three years in the matter of pregnancy complications, birth of a child with congenital disabilities or death of spouse etc¹⁶.
2. **Wellsurance Woman:** this policy has been brought forth by the Tata AIG group and serves to provide a combination of hospitalisation benefit and critical illness cover. It provides a lump sum money to all policyholders in case she is diagnosed with any of the 11 specified critical illness covered by the policy. However, it should comply with the basic health plan which covers hospitalisation.¹⁷
3. **Bajaj Allianz's Critical illness cover:** it covers eight critical illnesses including paralysis, cancers. The reason for bringing this policy was propelled by the nature of the illness. Its lengthy, expensive procedures and the required lifestyle changes after one of these illnesses are contracted compelled the insurance house to cover this area¹⁸.
4. **Easy Health Individual plan:** it is provided by Apollo Munich in the form of a comprehensive health insurance plan that can be sold to persons belonging to either genders. The plan includes all benefits offered by other plans and special benefits are made for pregnant women¹⁹.
5. **LIC's Jeevan Bharati (PLAN No. 192):** it is an exclusive money back policy for women. The Amount to be provided under this policy is between Rs. 50000 to Rs. 250000 and it seeks to protect the insurer against optional Accident Benefit, Critical Illness Benefit amongst others.
6. **Vijaya Raji Janani Kalyan Yojana:** this scheme is confined to the state of Madhya Pradesh meant for the welfare and development and was brought by the United India Insurance Company.
7. **Swayam Shakti Suraksha:** it came up as a joint venture between SKS Finance's Bajaj Allianz Swayam Shakti Suraksha. The policy supports 1 million women all over the country. It can be initiated with a

¹⁶ Women Health Insurance, < <http://www.apollomunichinsurance.com/health-insurance/women-health-insurance.aspx> > accessed on 10/11/2016.

¹⁷ Insurance Policies For Pregnant Women, < <http://business.mapsofindia.com/insurance/policies/for-pregnant-women.html> > accessed on 10/12/2016.

¹⁸ How to pick-up Best Insurance Plan for Women, < <http://myinvestmentideas.com/2015/08/how-to-pick-up-best-health-insurance-plan-for-women/> > accessed on 15/12/2016.

¹⁹ 5 Simple Things to Know About Maternity Insurance In India, < <https://www.tomorrowmakers.com/articles/health-insurance/5-things-to-know-about-maternity-insurance-in-india> > accessed on 14/12/2016.

meagre deposit of Rs. 500 thereby could be safely marked as the cheapest policy available extending to a period of 5 years.²⁰

Under the Married Women's Property Act life insurance policies taken by the husbands would after his death, belong to the wife and children and those will not be liable to attachment by the court for satisfaction of any debts left by the husband.²¹

CONCLUSION

With every passing year the insurance sector is seen to broaden with health insurance schemes specifically because of the growing increasing cases of medical needs in the present day society. Going through these provisions, one gets to understand that India is in dire need of statutory provisions which deals exclusively with the health insurance schemes for women. This absence makes it difficult to ensure availability of insurance policies which meets with the multifarious needs of women. Like United States, it is required also in our country to come up with a law to include more population within its fold. Then only our objective of making a welfare state would become a reality.

²⁰ Health Insurance Plans For Indian Women, < <http://www.womensweb.in/articles/health-insurance-plans-indian-women/> > accessed on 16/12/2016.

²¹ Oommen Kurien, Indian Women are excluded from health insurance benefits on an industrial scale, < <http://qz.com/718120/indian-women-are-excluded-from-health-insurance-benefits-on-an-industrial-scale/> > accessed on 13/12/2016

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