

WEST VIRGINIA CODE: §33-32-16

§33-32-16. Purchasing groups; exemption from certain laws relating to the group purchase of insurance.

A purchasing group and its insurer or insurers shall be subject to all applicable laws of this state, except that a purchasing group and its insurer or insurers shall be exempt, in regard to liability insurance for the purchasing group, from any law that would:

- (1) Prohibit the establishment of a purchasing group;
- (2) Make it unlawful for an insurer to provide or offer to provide insurance on a basis providing, to a purchasing group or its members, advantages based on their loss and expense experience not afforded to other persons with respect to rates, policy forms, coverages or other matters;
- (3) Prohibit a purchasing group or its members from purchasing insurance on a group basis described in subsection (b) of this section;
- (4) Prohibit a purchasing group from obtaining insurance on a group basis because the group has not been in existence for a minimum period of time or because any member has not belonged to the group for a minimum period of time;
- (5) Require that a purchasing group have a minimum number of members, common ownership or affiliation, or a certain legal form;
- (6) Require that a certain percentage of a purchasing group obtain insurance on a group basis;
- (7) Otherwise discriminate against a purchasing group or any of its members; or
- (8) Require that any insurance policy issued to a purchasing group or any of its members be countersigned by an insurance agent or broker residing in this state.