

WEST VIRGINIA CODE: §33-64-1

§33-64-1. Definitions.

As used in this article:

"Broker" means an independent health insurance agent licensed in this state.

"Commissioner" means the Insurance Commissioner of West Virginia.

"Person" means a natural person, corporation, mutual company, unincorporated association, partnership, joint venture, limited liability company, trust, estate, foundation, not-for-profit corporation, unincorporated organization, government, or governmental subdivision or agency.

"Wellness reimbursement program, arrangement, or benefit plan" means a plan offered to an employer or employee that provides reimbursement or other wellness-related benefits intended to promote health or wellness, including but not limited to employer-sponsored wellness reimbursement arrangements or other wellness benefit structures offered through insurance or similar benefit models that:

- (1) Have issued a contract to provide services and pay claims pertaining to reimbursements of qualified medical expenses relating to §26 U.S.C. 213 of the Internal Revenue Code; and
- (2) Are intended, created, marketed, and sold as an ancillary product to an individual or group health insurance coverage or self-insured group health plan.

"Wellness reimbursement program, arrangement, or benefit plan" does not include any underlying individual or group health insurance coverage or a self-insured group health plan.

"Wellness reimbursement program administrator" means any person who manages the operation of a wellness reimbursement program.