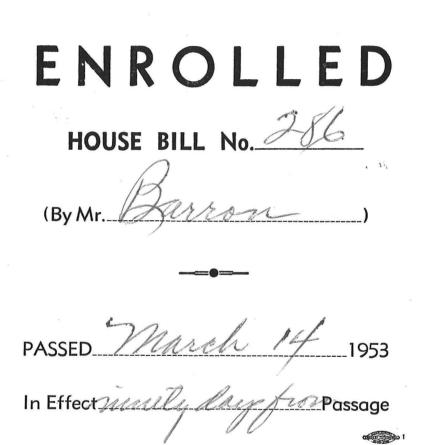
WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1953





ENROLLED House Bill No. 286

(By MR. BARRON)

[Passed March 14, 1953; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article thirteen, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to group accident and health insurance, prescribing the minimum number of individuals to be insured on a group basis. Be it enacted by the Legislature of West Virginia:

That section one, article thirteen, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 1. Companies Which May Write Group Accident and Health Insurance; Policy Classifications; Definitions.—Any insurer authorized to do the business of accident and health insurance in this state may issue group
policies insuring against bodily injury or death caused
by accident or accidental means, or against sickness, or
both, coming within any of the following classifications:
(a) A policy issued to an employer, who shall be deemed

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9 the policyholder, insuring at least ten employees of such
10 employer, for the benefit of persons other than the em11 ployer, and conforming to the following requirements:

12 (i) If the premium is paid by the employer the group
13 shall comprise all employees or all of any class or classes
14 thereof determined by conditions pertaining to the em15 ployment, or

(ii) If the premium is paid by the employer and employees jointly, or by the employees, the group shall comprise not less than seventy-five per cent of all employees
of the employer or not less than seventy-five per cent of
all employees of any class or classes thereof determined
by conditions pertaining to the employment;

(b) A policy issued to an association which has a constitution and by-laws and which has been organized and
is maintained in good faith for purposes other than that
of obtaining insurance, insuring at least ten members of
the association for the benefit of persons other than the
association or its officers or trustees, as such;

(c) A policy issued to a college, school or other institu-tion of learning or to the head or principal thereof, insur-

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30 ing students, or students and employees, of such institu-31 tion;

32 (d) A policy issued to or in the name of any volunteer
33 fire department, insuring all of the members of such de34 partment or all of any class or classes thereof against any
35 one or more of the hazards to which they are exposed by
36 reason of such membership.

The term "employee" as used herein shall be deemed 37 38 to include the officers, managers, and employees of the 39 employer, the partners, if the employer is partnership, the 40 officers, managers, and employees of subsidiary or affiliated corporations of a corporation employer, and the in-41 42 dividual proprietors, partners and employees of individuals and firms, the business of which is controlled by the 43 insured employer through stock ownership contract or 44 otherwise. The term "employer" as used herein may be 45 46 deemed to include any municipal or governmental corporation, unit, agency or department thereof and the 47 proper officers, as such, of any unincorporated municipal-48 49 ity or department thereof, as well as private individuals, partnerships and corporations. 50

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The Joint Committee on Enrolled Bills hereby certifies that the foregoing pill is correctly enrolled.

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