

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1977



ENROLLED

Committee Substitute for
SENATE BILL NO. 211

(By ~~Mr.~~ *Miss Herndon*.....)



PASSED *April 5,* 1977

In Effect *thirty days from* Passage


110.
211

ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 211
(By MISS HERNDON)

[Passed April 5, 1977; in effect ninety days from passage.]

AN ACT to amend and reenact section three, article sixteen, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to requiring group insurance policies provided by an employee's group plan to include a provision allowing members to continue the policies for not more than eighteen months after an involuntary layoff.

Be it enacted by the Legislature of West Virginia:

That section three, article sixteen, 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:

ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.

§33-16-3. Required policy provisions.

1 Each such policy hereafter delivered or issued for
2 delivery in this state shall contain in substance the follow-
3 ing provisions:

4 (a) A provision that the policy, the application of the
5 policyholder, a copy of which shall be attached to such
6 policy, and the individual applications, if any, submitted
7 in connection with such policy by the employees or
8 members, shall constitute the entire contract between
9 the parties, and that all statements made by any applicant
10 or applicants shall be deemed representations and not
11 warranties, and that no such statement shall void the

12 insurance or reduce benefits thereunder unless contained
13 in a written application.

14 (b) A provision that the insurer will furnish to the
15 policyholder, for delivery to each employee or member
16 of the insured group, an individual certificate setting
17 forth in substance the essential features of the insurance
18 coverage of such employee or member and to whom bene-
19 fits thereunder are payable. If dependents are included
20 in the coverage, only one certificate need be issued for
21 each family unit.

22 (c) A provision that all new employees or members,
23 as the case may be, in the groups or classes eligible for
24 insurance, shall from time to time be added to such
25 groups or classes eligible to obtain such insurance in
26 accordance with the terms of the policy.

27 (d) No provision relative to notice or proof of loss or
28 the time for paying benefits or the time within which
29 suit may be brought upon the policy shall be less favorable
30 to the insured than would be permitted in the case of an
31 individual policy by the provisions set forth in article
32 fifteen of this chapter.

33 (e) A provision that all members in groups or classes
34 eligible for insurance provided through an employee's
35 group plan shall be permitted to pay the premiums at
36 the same group rate and receive the same coverages
37 for a period not to exceed eighteen months when they
38 are involuntarily laid off from work.

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

James L. Davis
Chairman Senate Committee

Norman C. Thurston
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Joseph P. McLaughlin Jr.
Clerk of the Senate

W. B. Blankenship
Clerk of the House of Delegates

W. B. Battle Jr.
President of the Senate

Donald L. Kopp
Speaker House of Delegates

The within approved this the 15
day of April, 1977.

John D. Rhyne
Governor

APPROVED AND SIGNED BY THE GOVERNOR

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APR 9 2 55 PM '77
OFFICE OF THE GOVERNOR

Date April 15, 1977
Time 8:50 A.M.

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SECY. OF STATE