WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1977

ENROLLED
Committee Substitute for
SENATE BILL NO. 211

(By        )

PASSED        April 5, 1977

In Effect    Ninety Days from Passage
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 delivery in this state shall contain in substance the following provisions:

4 (a) A provision that the policy, the application of the policyholder, a copy of which shall be attached to such policy, and the individual applications, if any, submitted in connection with such policy by the employees or members, shall constitute the entire contract between the parties, and that all statements made by any applicant or applicants shall be deemed representations and not warranties, and that no such statement shall void the
Enr. Com. Sub. for S. B. No. 211] 2

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

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

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

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

(e) A provision that all members in groups or classes
eligible for insurance provided through an employee’s
group plan shall be permitted to pay the premiums at
the same group rate and receive the same coverages
for a period not to exceed eighteen months when they
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

Clark E. Chafin  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Jesse Miller Jr.  
Clerk of the Senate

W.A. Blankenship  
Clerk of the House of Delegates

W.E. Bethel Jr.  
President of the Senate

Donald L. Robb  
Speaker House of Delegates

The within _______ day of _______ , 1977, approved this the _______

John D. Rhoades  
Governor