WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1986

ENROLLED

Con. Sub. for
HOUSE BILL No. 1520.

(By Mr. Speaker, Mr. Albright & Delcour)
[By request of the Executive]

Passed
March 8, 1986

In Effect Ninety Days From Passage
AN ACT to amend and reenact section thirteen, article three; sections six, thirteen, sixteen, sixteen-a and twenty-eight, article twelve; section six, article twenty; section twelve, article twenty-one; sections two and sixteen, article twenty-two; section twenty-nine, article twenty-three; sections four and five, article twenty-four; section seven, article twenty-five; and section twenty-two, article twenty-five-a, all of chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to increasing the fees and charges assessed against insurers and their agents, brokers, solicitors, and service representatives; terminating the existing two percent insurance premium tax on excess line brokers, which tax is payable into the state general revenue fund, on and after the first day of January, one thousand nine hundred eighty-seven; providing for the preservation of and payment of tax liability already accrued under the two percent tax and for the prior calendar year to be remitted and paid subsequent to elimination of such tax; retaining the additional four percent insurance premium tax on such excess line brokers, which tax is payable into a special account in the state treasury and thereafter distributable after legislative appropriation to local municipal policemen's and firemen's pension and relief funds and
to volunteer and part-volunteer fire companies and departments, and making the collection and payment of such four percent tax on a quarterly basis rather than annually, once a year; and increasing the license, annual, filing, or applications fees for rating organizations, reciprocal insurers, farmers' mutual insurance companies, fraternal benefit societies, hospital service corporations, medical service corporations, dental service corporations, health care corporations and health maintenance organizations.

Be it enacted by the Legislature of West Virginia:

That section thirteen, article three; sections six, thirteen, sixteen, sixteen-a and twenty-eight, article twelve; section six, article twenty; section twelve, article twenty-one; sections two and sixteen, article twenty-two; section twenty-nine, article twenty-three; sections four and five, article twenty-four; section seven, article twenty-five; and section twenty-two, article twenty-five-a, all of chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and to amend article six of said chapter by adding thereto a new section, designated section thirty-four, all to read as follows:

ARTICLE 3. LICENSING, FEES AND TAXATION OF INSURERS.

§33-3-13. Fees and charges.

(a) Except where it is otherwise specially provided, the commissioner shall demand and receive the following fees from all insurers: For annual fee for each license, two hundred dollars; for receiving and filing annual reports, one hundred dollars; for valuation of policies of life insurers organized under the laws of this state, one and one-half cents for each one thousand dollars of insurance; for valuation of policies of life insurers organized under the laws of any other state licensed to transact insurance in this state the rate for each one thousand dollars of insurance valued as is imposed by the other state upon any similar insurer organized under the laws of this state licensed to transact insurance in the other state; for filing certified copy of articles of incorporation, fifty dollars; for filing copy of its charter, fifty dollars; for filing statements
preliminary to admission, one hundred dollars; for filing any additional paper required by law or furnishing copies thereof, one dollar; for every certificate of valuation, copy of report or certificate of condition of company to be filed in any other state, fifteen dollars; for each licensed agent, twenty-five dollars. The commissioner may by regulation set reasonable charges for printed forms for the annual statements required by law. He may sell at cost publications purchased by, or printed on behalf of the commissioner.

(b) Such fees and charges collected by the commissioner under the provisions of this section or elsewhere in this chapter and designated for use by the commissioner for the operation of the department of insurance or for the purposes of this section, shall be paid into a special revenue account, hereby created in the state treasury, to be expended and used by the commissioner, upon his requisition and after appropriation by the Legislature, for the operation of the department of insurance.

ARTICLE 6. THE INSURANCE POLICY.

§33-6-34. Fee for form and rate filing.

A fee of ten dollars for every form filing and ten dollars for every rate filing shall be submitted with each filing. If a form filing or rate filing is made on behalf of more than one insurer, other than a filing made by a rating organization licensed by the commissioner pursuant to section six, article twenty of this chapter, the fee shall be submitted as if the filing were made by each individual insurer. Fees submitted pursuant to this section shall not be refunded if the form filing or rate filing, for which the fee was submitted, is disapproved in whole or in part by the commissioner. The refiling of a form filing or rate filing previously disapproved by the commissioner shall be considered a new filing for the purposes of the filing fee: Provided, That any request by the commissioner for additional information pertaining to a form filing shall not be considered a new filing for purposes of the filing fee. All fees collected pursuant to this section shall be used by the commissioner for the
ARTICLE 12. AGENTS, BROKERS, SOLICITORS AND EXCESS LINE.

§33-12-6. License fee.

1 The fee for an agent's license shall be twenty-five dollars as provided in section thirteen, article three of this chapter, the fee for a solicitor's license shall be twenty-five dollars, and the fee for a broker's license shall be twenty-five dollars, except that when any other state imposes a tax, bond, fine, penalty, license fee or other obligation or prohibition on agents resident in this state, the same tax, bond, fine, penalty, license fee or other obligation or prohibition shall be imposed upon agents (where licensing of nonresident agents is permitted under this article) or brokers of such other state licensed or seeking a license in this state. All fees and moneys so collected shall be used for the purposes set forth in section thirteen, article three of this chapter.

§33-12-13. Licensing of excess line brokers.

(a) Any licensed insurance agent determined by the commissioner to be competent and trustworthy for the purpose, may be licensed as an excess line broker.

(b) The license fee shall be two hundred dollars, all fees so collected are to be used for the purposes set forth in section thirteen, article three of this chapter.

(c) Prior to issuance of the license, the applicant therefor shall file with the commissioner and thereafter maintain in force for so long as the license or any renewal thereof remains in effect, a bond in favor of the state of West Virginia in the penal sum of two thousand dollars, with an authorized corporate surety approved by the commissioner, conditioned that he will conduct business under the license in accordance with this article, that he will promptly remit the taxes provided by section sixteen of this article, and that he will properly account to the person entitled thereto for funds received by him through transactions under the license. No bond shall be terminated unless at least thirty days' prior written notice thereof is filed with the commis-
§33-12-16. Annual return of two percent tax on excess line brokers; termination of such two percent tax on January 1, 1987, with accrued liability thereunder for prior calendar year preserved and required to be remitted.

(a) Every excess line broker licensed pursuant to the provisions of this article shall make a return annually, under oath, on or before the first day of March to the commissioner of the gross amount of premiums charged the insureds by the insurers for insurance procured by such licensee, pursuant to such license during the previous calendar year, together with the amount of tax due thereon. The annual tax required to be paid, under the provisions of this section, shall be a sum equal to two percent of the gross premiums received on the gross business procured by such licensee on subjects of insurance, resident, located or to be performed in this state and obtained pursuant to the provisions of this article, including any so-called dividends on participating insurance policies applied in reduction of premiums, less premiums returnable for cancellation. All such taxes paid to the commissioner shall be paid by him into the state treasury for the benefit of the state fund.

(b) On and after the first day of January, one thousand nine hundred eighty-seven, the annual two percent tax imposed by this section shall cease, expire and be of no further force or effect whatsoever thereafter, but the final payment of tax in respect of the two percent tax levied by this section and being for the previous calendar year of one thousand nine hundred eighty-six shall be payable and shall be remitted to the Commissioner by the first day of March, one thousand nine hundred eighty-seven, as provided by this section. All of the other, general provisions of this section in respect of return requirements and other general administration provisions are retained for the administration purposes of the premium taxes remaining under this article.

§33-12-16a. Four percent premium tax on excess line
brokers, payable by quarterly and final returns; and distributable to local level departments as specified.

For the purpose of providing additional revenue for municipal policemen's and firemen's pension and relief funds and additional revenue for volunteer and part-volunteer fire companies and departments, an additional annual premium tax is hereby imposed and required to be paid, on a calendar year basis and in quarterly estimated installments due and payable on or before the twenty-fifth day of the month succeeding the close of the quarter in which they accrued, except for the fourth quarter, in respect of which taxes shall be due and payable and final computation of actual total liability for the prior calendar year shall be made, less credit for the three quarterly estimated payments prior made, and with such return to be made on or before the first day of March of the succeeding year. This additional tax shall be a sum equal to four percent of the gross premiums received on the gross business procured by such licensed excess line broker on subjects of insurance, resident, located or to be performed in this state and obtained pursuant to the provisions of this article, including any so-called dividends on participating insurance policies applied in reduction of premiums, less premiums returnable for cancellation. All provisions of this article relating to the levy, imposition and collection of the regular premium tax are applicable to the levy, imposition and collection of this additional tax.

All such taxes paid to the commissioner pursuant to this section shall be paid by him into a special account in the state treasury, designated "municipal pensions and protection fund," and after appropriation by the Legislature, shall be distributed in accordance with the provisions of subsection (c), section fourteen-d, article three of this chapter.

§33-12-28. Service representative permits.

Individual nonresidents of West Virginia, employed on salary by an insurer, who enter the state to assist and advise resident agents in the solicitation, negotiation,
making or procuring of contracts of insurance on risks resident, located or to be performed in West Virginia shall obtain a service representative permit. The commissioner may, upon receipt of a properly prepared application, issue the permit without requiring a written examination therefor. The fee for a service representative permit shall be twenty-five dollars and the permit shall expire at midnight on the thirty-first day of March next following the date of issuance. Issuance of a service representative permit shall not entitle the holder to countersign policies. The representative shall not in any manner solicit, negotiate, make or procure insurance in this state except when in the actual company of the licensed resident agent whom he has been assigned to assist. All fees collected under this section shall be used for the purposes set forth in section thirteen, article three of this chapter.

ARTICLE 20. RATES AND RATING ORGANIZATIONS.

§33-20-6. Rating organizations.

(a) A corporation, an unincorporated association, a partnership or an individual, whether located within or outside this state, may make application to the commissioner for license as a rating organization for such kinds of casualty insurance or subdivisions thereof, or for such kinds of fire and marine insurance or subdivision or class of risk or a part or combination thereof as are specified in its application and shall file therewith (1) a copy of its constitution, its articles of agreement or association or its certificates of incorporation, and of its bylaws, rules and regulations governing the conduct of its business, (2) a list of its members and subscribers, (3) the name and address of a resident of this state as attorney-in-fact upon whom notices or orders of the commissioner or process affecting such rating organization may be served and (4) a statement of its qualifications as a rating organization. If the commissioner finds that the applicant is competent, trustworthy and otherwise qualified to act as a rating organization and that its constitution, articles of agreement or association or certificate of incorporation, and its bylaws, rules and regulations governing the conduct of its business
conform to the requirements of law, he shall issue a license specifying the kinds of insurance or subdivisions thereof for which the applicant is authorized to act as a rating organization. Every application shall be granted or denied in whole or in part by the commissioner within sixty days of the date of its filing with him. Licenses issued pursuant to this section shall remain in effect for three years unless sooner suspended or revoked by the commissioner. The fee for the license shall be one hundred dollars, and the fee shall be in lieu of all other fees, licenses or taxes to which a rating organization might otherwise be subject, all fees so collected to be used for the purposes specified in section thirteen, article three of this chapter. Licenses issued pursuant to this section may be suspended or revoked by the commissioner, after notice and hearing, in the event the rating organization ceases to meet the requirements of this article. Every rating organization shall notify the commissioner promptly of every change in (1) its constitution, its articles of agreement or association or its certificate of incorporation, and its bylaws, rules and regulations governing the conduct of its business, (2) its list of members and subscribers and (3) the name and address of the resident of this state designated as attorney-in-fact by it upon whom notices or orders of the commissioner or process affecting such rating organization may be served.

(b) Subject to rules and regulations which have been approved by the commissioner as reasonable, each rating organization shall permit any insurer, not a member, to be a subscriber to its rating services for any kind of casualty insurance or subdivision thereof, or for any kind of fire and marine insurance or subdivision or class of risk or a part or combination thereof, or any kind of surety insurance or subdivision thereof, for which it is authorized to act as a rating organization. Notice of proposed changes in such rules and regulations shall be given to subscribers. Each rating organization shall furnish its rating services without discrimination to its members and subscribers. The reasonableness of any rule or regulation in its application to subscribers, or the refusal of any rating organization to admit an
insurer as a subscriber, shall, at the request of any subscriber or any such insurer, be reviewed by the commissioner. If, after notice and hearing, the commissioner finds that the rule or regulation is unreasonable in its application to subscribers, he shall order that the rule or regulation shall not be applicable to subscribers.

If the rating organization fails to grant or reject an insurer's application for subscribership within thirty days after it was made, the insurer may request a review by the commissioner as if the application had been rejected. If, after notice and hearing, the commissioner finds that the insurer has been refused admission to the rating organization as a subscriber without justification, he shall order the rating organization to admit the insurer as a subscriber. If he finds that the action of the rating organization was justified, he shall make an order affirming its action.

(c) No rating organization shall adopt any rule the effect of which would be to prohibit or regulate the payment of dividends, savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members or subscribers.

(d) Cooperation among rating organizations or among rating organizations and insurers in rate making or in other matters within the scope of this article is hereby authorized, provided the filings resulting from such cooperation are subject to all the provisions of this article which are applicable to filings generally. The commissioner may review such cooperative activities and practices, and if after a hearing he finds that any such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this article, he may issue a written order specifying in what respects such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this article, and requiring the discontinuance of such activity or practice.

(e) Any rating organization for casualty, marine or surety insurance may provide for the examination of policies, daily reports, binders, renewal certificates, endorsements or other evidences of insurance, or the
cancellation thereof, and may make reasonable rules governing their submission. The rules shall contain a provision that in the event any insurer does not within sixty days furnish satisfactory evidence to the rating organization of the correction of any error or omission previously called to its attention by the rating organization, it shall be the duty of the rating organization to notify the commissioner thereof. All information so submitted for examination shall be confidential. Such services for fire insurance shall be governed by the provisions of section ten, article seventeen of this chapter.

(f) Any rating organization may subscribe for or purchase actuarial, technical or other services, and these services shall be available to all members and subscribers without discrimination.

ARTICLE 21. RECIPROCAL INSURERS.

§33-21-12. Process and venue; annual fee.

(a) Concurrently with the filing of the application provided for by the terms of section six of this article, the attorney shall file with the commissioner an instrument in writing, executed by him for said subscribers, conditioned that upon the issuance of the license provided for in section seven of this article any action, suit or other proceeding arising out of any insurance contract or policy issued under such license, may be brought in the county of this state wherein the property insured was situated either at the date of the policy or at the time when the right of action accrued, or in the county of this state wherein the person insured had a legal residence at the date of his death or at the time the right of action accrued, and that service of any process or notice may be had upon the secretary of state in all actions, suits or other proceedings in this state arising out of such policies, contracts, agreements or other business of insurance transacted under such license, and that said secretary of state may accept service of any such process or notice.

(b) Such service or acceptance of service shall be valid and binding upon the attorney and upon all subscribers
exchanging at any time reciprocal or interinsurance contracts through the attorney. Two copies of such process or notice, in addition to the original, shall be furnished the secretary of state, and he shall file one copy, forward one copy to the attorney and return the original with his acceptance of service or for return of service. But no process or notice shall be served on the secretary of state or accepted by him less than ten days before the return day thereof. Where the principal office of the attorney is located in this state, service of process may be had upon all subscribers by serving same upon the attorney at said office. Service of process shall not be had upon said subscribers or any of them in any suit or other proceeding in this state except in the manner provided in this section, and any action, suit, or other proceeding may be begun and prosecuted against or defended by them under the name or designation adopted by them.

(c) The attorney shall pay to the secretary of state an annual fee of twenty dollars.

ARTICLE 22. FARMERS' MUTUAL FIRE INSURANCE COMPANIES.

§33-22-2. Other provisions of chapter applicable.

Each such company to the same extent such provisions are applicable to domestic mutual insurers shall be governed by and be subject to the following articles of this chapter: Article one (definitions), article two (insurance commissioner), article four (general provisions) except that section sixteen of article four shall not be applicable thereto, article ten (rehabilitation and liquidation) except that under the provisions of section thirty-two of said article ten no assessment shall be levied against any former member of a farmers' mutual fire insurance company who is no longer a member of the company at the time the order to show cause was issued, article eleven (unfair practices and frauds), article twelve (agents, brokers and solicitors) except that the agents' license fee shall be five dollars, article twenty-six (West Virginia Insurance Guaranty Association Act), and article thirty (mine subsidence insurance) except that under the provisions of section six,
article thirty, a farmers' mutual insurance company shall have the option of offering mine subsidence coverage to all of its policyholders but shall not be required to do so; but only to the extent these provisions are not inconsistent with the provisions of this article.

§33-22-16. Fees.

Such company at the time of making its annual report shall pay to the commissioner a filing fee of twenty-five dollars, all fees so collected to be used for the purposes specified in section thirteen, article three of this chapter. No other fees or taxes shall be levied against such companies except the agent's license fee and the expenses of examination thereof by the commissioner.

ARTICLE 23. FRATERNAL BENEFIT SOCIETIES.

§33-23-29. Fees; exemption of funds and assets from taxation.

(a) Each society shall pay to the commissioner an annual license fee of fifty dollars and a fee of twenty-five dollars for filing the annual statement of the society, all fees so collected to be used for the purposes specified in section thirteen, article three of this chapter.

(b) Every society licensed under this article is hereby declared to be a charitable and benevolent institution, and all of its funds and assets shall be exempt from all state, county, district and municipal taxes except taxes on real property and office equipment.

ARTICLE 24. HOSPITAL SERVICE CORPORATIONS, MEDICAL SERVICE CORPORATIONS AND DENTAL SERVICE CORPORATIONS.

§33-24-4. Exemptions; applicability of other laws.

Every such corporation is hereby declared to be a scientific, nonprofit institution and as such exempt from the payment of all property and other taxes. Every such corporation, to the same extent such provisions are applicable to insurers transacting similar kinds of insurance and not inconsistent with the provisions of this article, shall be governed by and be subject to the provisions, as hereinbelow indicated, of the following
articles of this chapter: Article two (insurance commissioner) except that under section nine of article two examinations shall be conducted at least once every four years, article four (general provisions) except that section sixteen of article four shall not be applicable thereto, article ten (rehabilitation and liquidation), article twelve (agents, brokers and solicitors) except that the agent's license fee shall be five dollars, section three-c, article sixteen (group accident and sickness insurance), section three-d, article sixteen (medicare supplement), and article twenty-eight (individual accident and sickness insurance minimum standards); and no other provision of this chapter shall apply to such corporations unless specifically made applicable by the provisions of this article. If, however, any such corporation shall be converted into a corporation organized for a pecuniary profit, or if it shall transact business without having obtained a license as required by section five of this article, it shall thereupon forfeit its right to these exemptions.

§33-24-5. Licenses; name of corporation.

(a) No such corporation shall enter into any contract with a subscriber until it has obtained from the commissioner a license as provided in this section. Application for a license shall be made on forms to be prescribed and furnished by the commissioner.

(b) The application shall be accompanied by a copy of the following documents: (1) Certificate of incorporation; (2) bylaws; (3) contracts between the corporation and participating hospitals, physicians, dentists or other health agencies; (4) proposed contracts to be issued to subscribers, setting forth the hospital, medical or dental service, to which subscribers are entitled, and the table of rates to be charged for such service; and (5) financial statement showing the amount of contributions paid, or agreed to be paid, to the corporation for working capital, the name or names of each contributor and the terms of each contribution.

(c) Within thirty days after receipt of an application,
the commissioner shall, upon payment to him of a license fee of two hundred dollars, issue a license authorizing the corporation to transact business in this state in the area to be served by it, if he is satisfied (1) that the applicant is incorporated in this state under the provisions of article one, chapter thirty-one of this code, as a bona fide nonprofit corporation, (2) that the contracts between the corporation and participating hospitals, physicians, dentists and other health agencies contain all the terms required by section seven of this article, (3) that the working capital available to the corporation will be sufficient to pay all operating expenses, other than payment for hospital, medical or dental services, for a reasonable period after the issuance of the license, and (4) that the proposed plan will serve the best interests of all of the people of the area in which the corporation intends to operate, regardless of their race, color or economic status. Any license so issued may be renewed annually upon payment to the commissioner of a renewal fee of two hundred dollars.

(d) The term of such license, renewal, refusal to license, revocation, suspension or penalty in lieu thereof, shall be governed by the provisions of sections eight, nine, ten and eleven, article three of this chapter, in the same manner that these sections are applicable to insurers generally.

(e) No such corporation shall include in its name the words "insurance," "casualty," "surety," "health and accident," "accident and sickness," "mutual," or any other words descriptive of the insurance business; nor shall its name be so similar to that of any insurer which was licensed to transact insurance in this state when such corporation was formed, as to tend, in the opinion of the commissioner, to confuse the public.

ARTICLE 25. HEALTH CARE CORPORATIONS.

§33-25-7. Licenses.

(a) Before it may issue any contract to a subscriber, a corporation desiring to establish, maintain and operate a direct health care plan must first obtain from the
commissioner a license as provided in this section.

(b) Applications for an original license shall be made on forms prescribed and furnished by the commissioner and shall be accompanied by the following documents and information: (1) Certificate of incorporation; (2) bylaws; (3) list of names and residence addresses of all officers and board of directors of the corporation; (4) contracts between the corporation and persons, firms, corporations or associations to render direct health care services; (5) proposed contracts to be issued to subscribers setting forth in detail the direct health care services to which subscribers are entitled and the table of rates to be charged for such services; (6) financial statement showing the assets and liabilities of the corporation, the amount of contributions paid, or agreed to be paid, to the corporation for working capital, the names or name of each contributor and the terms of each contribution; and (7) any additional information as the commissioner may require.

(c) Within thirty days after receipt of an application, the commissioner shall, upon payment to him of a license fee of two hundred dollars, issue a license authorizing the corporation to transact business in this state in the area to be served by it, if he is satisfied (1) that the applicant is incorporated in this state under the provisions of article one, chapter thirty-one of the code of West Virginia as a bona fide, nonprofit corporation, (2) that the health care plan which the corporation proposes to operate, as well as the forms of all contracts which it proposes to issue under such health care plan, are based upon sound business principles and will be in every respect equitable, just and fair to the subscriber, (3) that the working capital available to the corporation will be sufficient to pay all operating expenses during the subscription period, and (4) that the proposed plan will adequately serve the best interests of all the people of the area in which the corporation intends to operate, regardless of their race, color or religion.

(d) The commissioner may refuse to license a corporation when he determines that such corporation has not complied with the laws of this state, or that it is not in
the best interest of the people of the state that such

45 corporation be licensed, or that such corporation would

46 transact business in this state in an improper, illegal or

47 unjust manner. In such event, the commissioner shall

49 enter an order refusing the license and the applicant

therefor may have a hearing and judicial review in

51 accordance with the applicable provisions of article two

52 of this chapter relating to hearings before and judicial

53 review of orders entered by the commissioner.

54 (e) All licenses issued under the provisions of this

55 article shall expire at midnight on the thirty-first day

56 of March next following the date of issuance. The

57 commissioner shall renew annually the license of all

58 corporations which qualify and make applications

therefor upon a form prescribed by the commissioner

upon payment to the commissioner of a renewal fee of

59 two hundred dollars.

62 (f) The commissioner shall, after notice and hearing,

63 refuse to renew or shall revoke or suspend the license

65 of a corporation, if the corporation: (1) Violates any

66 provision of this article; (2) fails to comply with any

67 lawful rule, regulation or order of the commissioner; (3)

68 is transacting its business in an illegal, improper or

69 unjust manner, or is operating in contravention of its

70 articles of incorporation or any amendments thereto, of

71 its bylaws, or of its health care plan; (4) is found by the

73 commissioner to be in an unsound condition or in such

74 condition as to jeopardize its obligations to subscribers

75 and those with whom it has contracted; (5) compels

74 subscribers to its health care program to accept less

75 than the obligation due them under their contracts or

76 agreements with the corporation; (6) refuses to be

77 examined or to produce its accounts, records and files

78 for examination by the commissioner when required; (7)

79 fails to pay any final judgment rendered against it in

80 West Virginia within thirty days after the judgment

81 became final or time for appeal expired, whichever is

82 later; (8) fails to pay when due to the state of West

83 Virginia any fees, charges or penalties required by this

chapter.

85 In those cases where the commissioner has the right
to revoke, suspend or terminate the license or any
renewal thereof of said corporation, the commissioner
shall, by order, require the corporation to pay to the
state of West Virginia a penalty in the sum not
exceeding one thousand dollars, and on the failure of the
corporation to pay the penalty within thirty days after
notice thereof, the commissioner shall revoke or suspend
the license of the corporation.

When any license has been revoked, suspended or
terminated, the commissioner may reinstate the license
when he is satisfied that the conditions causing the
revocation, suspension or termination have ceased to
exist and are unlikely to recur.

In the event the commissioner revokes, suspends or
terminates a license, the corporation may demand a
hearing in the manner provided in article two of this
chapter.

ARTICLE 25A. HEALTH MAINTENANCE ORGANIZATION ACT.

Every health maintenance organization subject to this
article shall pay to the commissioner the following fees:
For filing an application for a certificate of authority
or amendment thereto, two hundred dollars; and for
filing each annual report, twenty-five dollars. Fees
charged under this section shall be for the purposes set
forth in section thirteen, article three of this chapter.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Bruce O. Wilson  
Chairman Senate Committee

Floyd Fields  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Jeff C. Miller  
Clerk of the Senate

Donald T. Kepp  
Clerk of the House of Delegates

Dan Tomlinson  
President of the Senate

Joseph P. Allevato  
Speaker of the House of Delegates

The within approved this the 26th day of March, 1986.

Rita Snuffer  
Governor
PRESENTED TO THE
GOVERNOR
Date 3/21/86
Time 4:35 p.m.