WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1989

ENROLLED

HOUSE BILL No. 2391

(By Mr. Speaker, Mr. Chairman, Del. R. Bird)
(By Request of the Executive)

Passed April 3, 1989

In Effect Ninety Days from Passage
ENROLLED
H. B. 2391
(By Mr. Speaker, Mr. Chambers, and Delegate R. Burk)
[By Request of the Executive]

[Passed April 5, 1969; in effect ninety days from passage.]

AN ACT to amend chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article sixteen-b, relating to providing for a mechanism for approval or disapproval of premium rate charges for accident and sickness insurance policies; exceptions.

Be it enacted by the Legislature of West Virginia:

That chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article sixteen-b, to read as follows:

ARTICLE 16B. ACCIDENT AND SICKNESS RATES.

§33-16B-1. Filing and approval of accident and sickness rates.

1 Premium rate charges for any individual accident and sickness insurance policy or for any group accident and sickness insurance policy issued pursuant to this chapter shall be filed with the commissioner for a waiting period of sixty days before such charges become effective. At the expiration of such sixty days the premium rate charges so filed shall be deemed approved unless prior thereto the charges have been affirmatively approved or disapproved by the commissioner.
The commissioner shall disapprove accident and health insurance premium rates which are not in compliance with the requirements of this chapter or any rule promulgated by the commissioner pursuant to section two of this article. The commissioner shall send written notice of such disapproval to the insurer. The commissioner may approve the premium rates before the sixty-day period expires by giving written notice of approval.

§33-16B-2. Ratemaking standards.

Premium rates charged for any individual accident and health insurance policy or for any group accident and health insurance policy issued pursuant to this chapter shall be reasonable in relation to the benefits available under the policy. The commissioner shall promulgate rules pursuant to chapter twenty-nine-a to establish minimum ratemaking standards in accordance with accepted actuarial principles and practices.

§33-16B-3. Exceptions.

This article shall not apply to group accident and health insurance plans upon which premiums are negotiated with the individual policyholder and are based on the historic and projected loss experience of the group to be insured.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Frederick L. Parker  
Chairman Senate Committee

Bernard V. Kelly  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Isadore M. Netter  
Clerk of the Senate

Donald L. Hoge  
Clerk of the House of Delegates

Lembrecht  
President of the Senate

Robert C. Asbell  
Speaker of the House of Delegates

The within is approved this the 25th day of April, 1989.

Jaston Caperton  
Governor