WEST VIRGINIA LEGISLATURE
SEVENTY-NINTH LEGISLATURE
REGULAR SESSION, 2010

ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 449
(SENATORS HELMICK, KESSLER, MINARD,
UNGER AND PLYMALE, original sponsors)

[Passed March 13, 2010; in effect ninety days from passage.]
AN ACT to amend and reenact §5-16-17 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Public Employees Insurance Act generally; clarifying the definition of pre-existing condition; and providing instances in which participants may enroll or make plan selections.

Be it enacted by the Legislature of West Virginia:

That §5-16-17 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 16. WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE ACT.

§5-16-17. Preexisting conditions not covered; defined.

1 A preexisting condition is an injury, or sickness, or any condition relating to that injury, or sickness, for which a
3 participant is diagnosed, receives treatment, or incurs expenses prior to the effective date of coverage.

5 For all participants enrolling in the plan after the effective date of this section, payment shall be made for expenses incurred for or in connection with a preexisting condition: Provided, That participants may enroll or make plan selections only at the time of hire, during annual open enrollment or upon the occurrence of a “qualifying event” under section 125 of the United States Internal Revenue Code.
The Joint Committee on Enrolled Bills hereby certifies that the following bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the __________ Day of __________, 2010.

Governor