

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Enrolled

Committee Substitute

for

Senate Bill 568

BY SENATOR ROBERTS

[Passed March 12, 2022; in effect 90 days from passage]

FILED

2022 MAR 28 P 12:56

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SB 568

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1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §33-16-3c; to amend said code by adding thereto a new section, designated
3 §33-24-6a; to amend said code by adding thereto a new section, designated §33-25-10a;
4 and to amend said code by adding thereto a new section, designated §33-25A-7b, all
5 relating to health insurance loss ratio information; defining term; and requiring disclosure
6 of loss ratio information upon request.

Be it enacted by the Legislature of West Virginia:

ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.

§33-16-3c. Loss ratio.

1 If an insurer considers a loss ratio at the time of renewal of a policy, the insurer shall, upon
2 request of an insured, provide the loss ratio and the components of the loss ratio calculation to
3 the insured no more than 90 days but no less than 60 days before the renewal date of the policy.
4 For purposes of this section, “loss ratio” means the total losses paid out in medical claims divided
5 by the total earned premiums.

6 Medical claims do not include dental only or vision only coverage.

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

§33-24-6a. Loss ratio.

1 If a corporation utilizes a group’s loss ratio as a rating factor at the time of renewal of a
2 policy, plan, or contract, the corporation shall, upon request of an insured or subscriber, provide
3 the loss ratio and the components of the loss ratio calculation to the insured or subscriber no more
4 than 90 days but no less than 60 days before the renewal date of the policy, plan, or contract.
5 For purposes of this section, “loss ratio” means the total losses paid out in medical claims divided

6 by the total earned premiums: *Provided*, That that the requirements of this section do not apply
7 to a dental service corporation as that term is defined in this article.

ARTICLE 25. HEALTH CARE CORPORATIONS.

§33-25-10a. Loss ratio.

1 If a corporation considers a loss ratio at the time of renewal of a policy, plan, or contract,
2 the corporation shall, upon request of a subscriber, provide the loss ratio and the components of
3 the loss ratio calculation to the subscriber no more than 90 days but no less than 60 days before
4 the renewal date of the policy, plan, or contract. For purposes of this section, "loss ratio" means
5 the total losses paid out in medical claims divided by the total earned premiums.

6 Medical claims do not include dental only or vision only coverage.

ARTICLE 25A. HEALTH MAINTENANCE ORGANIZATION ACT.

§33-25A-7b. Loss ratio.

1 If a health maintenance organization considers a loss ratio at the time of renewal of a
2 policy, plan, or contract, the health maintenance organization shall, upon request of a subscriber,
3 provide the loss ratio and the components of the loss ratio calculation to the subscriber no more
4 than 90 days but no less than 60 days before the renewal date of the policy, plan, or contract. For
5 purposes of this section, "loss ratio" means the total losses paid out in medical claims divided by
6 the total earned premiums: *Provided, However*, that medical claims do not include dental only or
7 vision only coverage. For purposes of this section, "subscriber" does not include a subscriber or
8 beneficiary of any policy, plan, or contract approved by the Bureau of Medical Services of the
9 Department of Health and Human Resources and entered into by a health maintenance
10 organization with Medicaid or the Children's Health Insurance Program.

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


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Chairman, Senate Committee

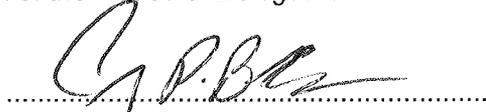

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Chairman, House Committee

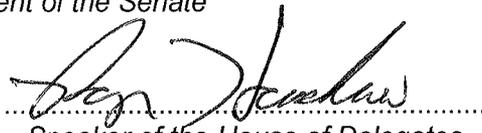
Originated in the Senate.

In effect 90 days from passage.

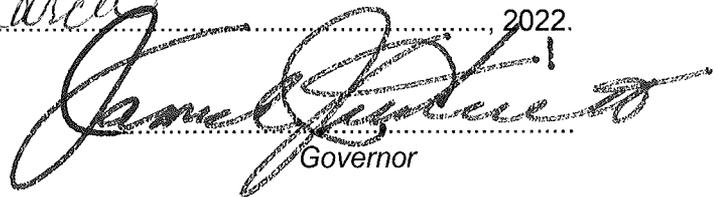

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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker of the House of Delegates

The within is approved this the 28th
Day of March, 2022.


.....
Governor

FILED
2022 MAR 28 P 12:56
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

PRESENTED TO THE GOVERNOR

MAR 17 2022

Time 1:50 p.m.