

# 2003 SESSION

INTRODUCED

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## HOUSE BILL NO. 2803

Offered January 17, 2003

*A BILL to amend and reenact § 38.2-3540.1 of the Code of Virginia, relating to accident and sickness insurance; claims experience.*

Patrons—Carrico and Kilgore

Referred to Committee on Commerce and Labor

**Be it enacted by the General Assembly of Virginia:**

**1. That § 38.2-3540.1 of the Code of Virginia is amended and reenacted as follows:**

§ 38.2-3540.1. Claims experience.

A. Each group accident and sickness insurance policy shall contain a provision which provides that an insurer, upon request, shall provide the policyholder with a complete record of the policyholder's claims experience incurred under the group policy. This record shall include all claims incurred *and the actual amount paid, less discounts, deductibles, and services not covered, for the most recent available 24-month period. Claims reporting dates shall be consistent* for the lesser of (i) the period of time since the policy was issued or issued for delivery or (ii) the period of time since the policy was last renewed, reissued or extended, if already issued. *This record shall also include (a) monthly enrollment in the policyholder's plan, and (b) a listing of claims in excess of \$15,000, for the same period as above.* This record shall be made available ~~promptly~~ to the policyholder *within 10 business days* upon request made not less than thirty days prior to the date upon which the premiums or contractual terms of the policy may be amended. Nothing in this section shall require the disclosure of personal or privileged information about an individual that is protected from disclosure under Chapter 6 (§ 38.2-600 et seq.) of this title, or under any other applicable federal or state law or regulation. *No policyholder shall be required to pay for information requested pursuant to this section.*

B. The requirements of this section shall apply to all policies, contracts, and plans delivered, issued for delivery, reissued or extended on and after July 1, ~~1999~~2003, or at any time after the effective date hereof when any term of any such policy, contract or plan is changed or any premium adjustment is made.

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